CITY OF BOULDER
BOARD OF ZONING ADJUSTMENT
MEETING AGENDA

DATE: Thursday, October 8, 2015
TIME: Meeting to begin at 5 p.m.
PLACE: Council Chambers, 1777 Broadway, 2nd Floor

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

1. CALL TO ORDER

2. BOARD HEARINGS

Docket No.: BOZ2015-10
Address: 800 Arapahoe Avenue
Applicant: Historic Boulder
Setback Variance: As part of a proposal to construct a new single-car detached garage as well as construct a single-story addition to the existing historic house on a Landmarked property, the applicant is requesting a variance to the front (north) yard setback of the new detached garage and the rear (south) yard setback of the existing house. For the new detached garage, the resulting front yard setback will be approximately 46 feet where 55 feet is required and where no structure exists today. For the house, the resulting rear yard setback will be approximately 9.16 feet where 25 feet is required and where approximately 24.5 feet exists today. Section of the Land Use Code to be modified: Section 9-7-1, BRC 1981.

3. GENERAL DISCUSSION

A. Approval of Minutes: The September 10 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 Cindy Spence at 303-441-1880 or via e-mail holmesb@bouldercolorado.gov. Board packets are available at the Boulder Public Main Library's Reference Desk, or at the Planning & Development Services (P&DS) reception area.
*** * * SEE REVERSED SIDE FOR MEETING GUIDELINES * * ***

CITY OF BOULDER
BOARD OF ZONING ADJUSTMENT
MEETING GUIDELINES

CALL TO ORDER
The board must have a quorum (three members present) before the meeting can be called to order.
AGENDA
The board may rearrange the order of the agenda or delete items for good cause. The board may not add items requiring public notice.
ACTION ITEMS
An action item requires a motion and a vote. The general format for hearing of an action item is as follows:

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

MATTERS FROM THE BOARD, CITY STAFF, AND CITY ATTORNEY
Any board member, Planning and Development Services staff, or the City Attorney may introduce before the board matters, which are not included in the formal agenda.

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

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

BOZA
VARIANCE APPLICATION

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

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

GENERAL DATA

(To be completed by the applicant.)

- Street Address or General Location of Property: **800 Arapaho**
- Legal Description: Lot **2A** Block _____ Subdivision **Smith's Addition to West Boulder Replat A** (Or attach description.)
- Existing Use of Property: **SF Residential**
- Description of proposal:
  Variance Request for Principal Building Rear Yard Setback of 9'-0" where 25'-0" is required
  Variance Request for Accessory Building Front Yard Setback of 46'-0" where 55'-0" is required

*Total floor area of existing building: **2260 sf**	*Total floor area proposed: **2979 sf**
*Building coverage existing: **1192 sf**	*Building coverage proposed: **1911 sf**
*Building height existing: **34'-9"**	*Building height proposed: **34'-9"**

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

- **Name of Owner:** **Historic Boulder**
- Address: **1123 Spruce Street** Telephone: **303.440.5192**
- City: **Boulder** State: **CO** Zip Code: **80302** FAX: _____
- **Name of Contact (if other than owner):** **Dodd—Studio**
- Address: **1701 15th Street** Telephone: **303.440.7957**
- City: **Boulder** State: **CO** Zip Code: **80302** FAX: _____

STAFF USE ONLY

Doc. No. BOZ2015-00010 Date Filed 09/16/15 Zone RMX-1 Hearing Date _____
Application received by: JMG Date Fee Paid _____ Misc. Rect # _____

APPLICATION TYPES

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

APPLICATION REQUIREMENTS

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

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

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

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

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

Applicant / Owner Signature _____ Date 9/15/15

SIGN POSTING REQUIREMENTS
APPLICANT'S ACKNOWLEDGMENT FORM

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

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

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

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

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

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

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

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

I, STEVEN DORR, (PRINT NAME OF APPLICANT OR CONTACT PERSON), am filing a Land Use Review, Administrative Review, Technical Document Review, or BOZA application [on behalf of] HISTORIC BOULDER (PRINT NAME OF OWNER(S) IF OTHER THAN APPLICANT/CONTACT) for the property located at 800 ARAPAHO. (PRINT PROPERTY ADDRESS OR LOCATION). I have read the city's sign posting requirements above and acknowledge and agree to the following:

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

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

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

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

NAME OF APPLICANT OR CONTACT PERSON

9/15/15
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.

Historic Boulder Inc.
PRESERVATION IN ACTION

September 1, 2015

To David Wein and Steve Dodd,

Thank you for meeting with Historic Boulder's Preservation Committee and presenting your recent plans for the Hannah Barker House after your review with city preservation staff.

Garage:

The Committee supported the garage design and felt that it was appropriate in scale and was respectful and subservient to the house.

Rear Addition:

We support the design concept for the rear addition. The location and scale seem to meet the General Design Guidelines, and we appreciate that the addition does not fill the back yard.

There were a few differing opinions on whether the massing and roof configuration might confuse history by creating something that is neither a restoration nor a reconstruction. The new addition should be distinguishable as new construction.

In further discussions of the roof form, it was suggested that the bedroom deck might not fit into the roof as much as the General Design Guidelines (that adhere to the Secretary of Interior's Standards) envision. A modified roof form might resolve massing concerns while also improving the deck's relationship with the roof plane.

Summary:

Historic Boulder's Board of Directors supports the overall design concepts presented at the August 26th Preservation Committee meeting for the detached garage and rear addition to the Hannah Barker House. As these concepts are further developed, we anticipate that detailed design issues will be resolved in your ongoing discussions with city staff and the Landmarks Design Review Committee.

Sincerely,

Kathryn Barth, Chair of HBI Preservation Committee
Gail Gray, President on behalf of Historic Boulder's Board of Directors

Historic Boulder Inc.
PRESERVATION IN ACTION

September 16, 2015

Board of Zoning Adjustments
City of Boulder Planning and Development Services
P. O. Box 791
Boulder, C0 80306

Dear Members of BOZA,

Historic Boulder, Inc. owns the Hannah Barker House property located at 800 Arapahoe, and authorizes Steve Dodd, of Dodd-Studio to apply for setback variances to accommodate a rear addition to the historic house and a detached garage that will be accessed from the alley. The specific request is for a 9'-2" rear yard setback, where 25'-0" is required, and a 46'-0" front yard setback, where 55'-0" is required for accessory buildings.

Please do not hesitate to contact with any questions at 303.444.5192.

Cordially,

Abby Daniels

Abby Daniels
Executive Director

Dodd—Studio

1701 15th Street
Boulder, CO 80302
T 303 440-7957
steve@dodd-studio.com
dodd-studio.com

Date: September 16, 2015 r

Written Statement

Hannah Barker House Addition and Detached Garage Addition
800 Arapaho, Boulder, CO 80302

Variance Request:

1. Principal Building rear yard setback reduction from 25'-0" to 9'-2"
2. Accessory Buidling Front Yard setback reduction from 55'-0" to 46'-0"

Project Description

The Hannah Barker house is an individual historic landmark built in 1875 and consisting of 1192 sf on the main level and 1068 sf on the upper level. The house was in a state of near total ruin when Historic Boulder purchased the property in 2010 and embarked on a multi-year restoration of the home with help from a broad sector of the community. To date, the house has been structurally stabilized and all of the exterior details have been restored, except for the windows and doors. Historic Boulder is in the process of selling the property to a private party who will complete the window and door restoration as well as a full interior renovation.

As part of the full restoration of the property, it is proposed to add a one story addition of approximately 402 sf attached to the south end of the existing house as well as a one story detached garage of approximately 280 sf to the west of the house toward the rear of the lot. The proposed design was developed in consultation with Historic Boulder and City of Boulder Historic Preservation staff and is in compliance with the City of Boulder Design Guidelines for Individual Landmarks. The project was reviewed by the Landmarks Design Review Committee on September 2, and although there is conceptual support for the proposal, the LDRC decided the significance of the building warranted review by the full Landmarks Board. This meeting is scheduled for October 7.

The location of the attached addition on the south end of the existing house minimizes visual impacts from Arapaho Avenue. This addition will enclose a new kitchen and mud room that will match the roof line and massing of an historic portion of the building at this location, which was demolished as part of the current restoration undertaken by Historic Boulder. The kitchen addition will dramatically improve the live-ability of the existing floor plan and allow preservation of most of the existing interior masonry and wood frame walls. The 15 foot depth of the addition is the minimum required to provided a functional kitchen layout. The proposed attached addition will result in a rear yard setback varying from 9'-2" to 10'-1", where 25 feet is required in the RMX-1 zoning district.

The detached garage is located to minimize driveway length and turnaround area. Vehicle access to the property is from the alley via a 15 foot access easement on the western edge of the adja-

cent property to the south. The required minimum 24 foot back up distance is provided between the garage and the property line. The single car detached garage has a minimal depth of 21'-0" to maximize the front yard setback and minimize visual impact from the street. Even so, a variance is requested to reduce the front yard setback requirement for the accessory building from 55 feet to a setback varying from 46'-0" to 48'-7". This variance is necessary due to the shallow 90 ft. depth of the lot.

The project is in compliance with all other zoning requirements for the RMX-1 zoning district including FAR, Building Coverage, Height, Garage to House separation, Bulk Plane, Side Yard Wall Articulation, and Solar Shadow. Zoning information is summarized in Attachment 1. The variances requested will allow for modest expansion of an historically significant property and contribute to its long term care and maintenance by creating a home which more practically accommodates the needs of modern families.

Site Conditions

The Hannah Barker House was originally sited on a lot which extended from Arapaho Avenue south to the alley between Arapaho and Marine Streets. The property was subsequently subdivided in the early 2000's to create two separate parcels. The southern parcel includes a flag extension across the eastern edge of the Barker parcel to meet the City of Boulder street frontage requirement. In addition, a 15 foot access easement along the western edge of the southern parcel provides alley access to the Barker property. A portion of the original Hannah Barker House had to be demolished at the time of the subdivision.

The resulting rather unusual lot configuration has created a hardship for the Barker property with regard to expanding it's modest 1192 sf footprint. Historic considerations prevent building to the east or west, leaving only the south of the house as a possibility. But the subdivision has resulted in the existing house located at the rear yard setback. Any addition to this side of the house requires a variance.

Site Aerial

Neighborhood Conditions

The property is bounded by another large, historic single family home to the west, and by multi-family (primarily) student housing on all other sides. The adjacent lot to the south is currently vacant but is planned for additional multi-family, student housing.

Existing Building

The existing house is currently nearing completion of Phase 3 of the restoration undertaken by Historic Boulder. Phase 1 included emergency protection of the existing building and was completed in 2011. Phase 2 stabilized the foundation and masonry and included structural improvements to the interior, completed in 2012. Phase 3 includes the restoration of the front porch, chimneys, cupola, exterior trim details, and exterior painting.

The next phase of work, to be undertaken by the new owner, will be the restoration of the exterior windows and doors, followed by a complete interior renovation and, if approved, the additions described in this application.

The current condition of the house, as of June 2015, is shown in the attached photos. Exterior painting of the house is now complete.

Main Level Interior

Upper Level Interior

Front View from Northwest

Front View from Northeast

Rear View from southwest showing outline of demolished portion of house

Rear View from southeast showing outline of demolished portion of house

Proposed Design

The current proposal is a direct result of a meeting with Boulder Historic Preservation staff. The proposed addition has the same width and roof profile as the demolished portion of the house, and extends approximately 15 ft. into the rear yard setback. It provides a service/mudroom entry directly into a new kitchen featuring natural light from the east and south, as well as access to the southeast portion of the yard. The kitchen/mudroom addition allows for the development of a well proportioned main level floor plan and dramatic interior stair in keeping with the stature of the historic house. The proposed window and door proportions are sympathetic to the existing house but do not include head or sill details so that a distinction can be made between the original house and the addition. The design intent is to clad the addition with the original salvaged brick for the demolished structure.

The detached garage has a single 9 foot wide garage door and is clad in white horizontal clapboard siding. It is situated on the west side of the house, which has less visibility than the east side, and is located as far back on the lot as possible while still allowing for minimal turnaround space. A 5 1/2 in 12 hipped roof is proposed, as well as a pair of windows centered on the north and east elevations.

Variance Criteria

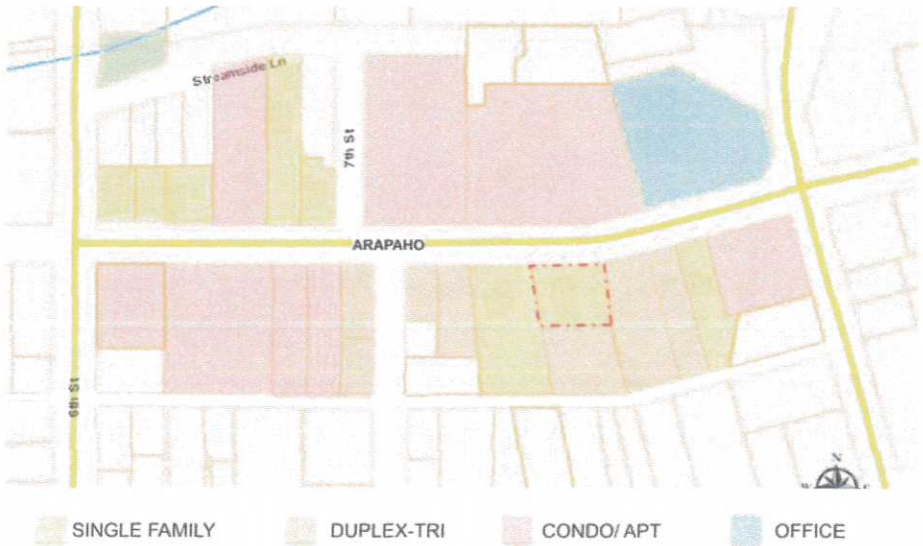
The site complies with all the criteria of Paragraphs 4 and 5 of the BOZA Variance Criteria:

Paragraph 4 -
City of Boulder Historic Preservation staff planner James Hewat will provide interim documentation with regard to this criteria. A final Landmarks Board determination will be made at the Oct. 7 meeting, and a resolution specifically addressing the setback variance will be put before the board.

As outlined in the project description above, adding to the east or west side of the house would have a detrimental effect on the historic character of the property. The only location suitable for an attached addition is in the rear yard setback.

The detached garage is located as far back on the property as possible while still maintaining the required 24 feet backing distance to the property line. The depth of the garage is a minimal 21 feet to maximize the remaining front yard setback.

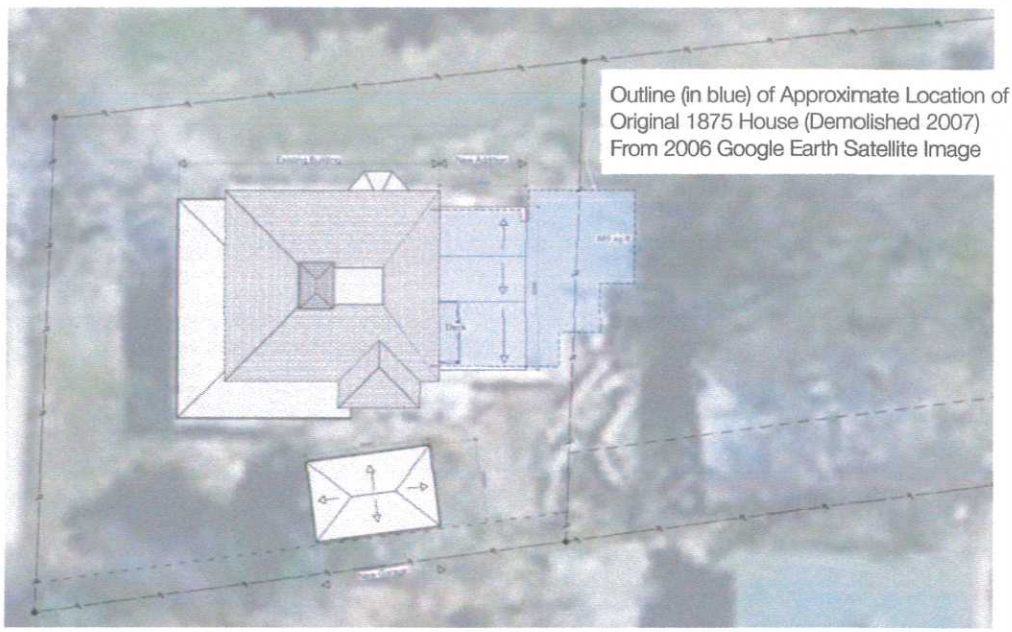
Paragraph 5 -
(A) - The proposal does not alter the essential character of the neighborhood. The 800 and 900 blocks of Arapaho Avenue consists of 22 properties fronting the street - 8 single family, 5 duplex/ triplex, 8 condo/apartment, and 1 office. This is a neighborhood primarily of mixed single family and higher density housing. The reduced setback at an interior lot line will have no discernible impact on the character of the neighborhood.



(B) - The variance would not impair the use of adjacent properties. The only significant impact is on the property to the south, which is planned for duplex/triplex student housing. This property

will be required to have a rear yard setback of 25 feet. The proposed setback encroachments for the attached addition and detached garage do not adversely affect solar access, views, or any of the other requirements from Chapter 7 - Form and Bulk Standards, B.R.C. 1981. A public good is served by allowing this variance as it supports the continued occupation, care and maintenance of a significant Boulder historic landmark.

(C) - The proposed attached addition extends 15 feet into the rear yard setback and represents the minimum dimension for a practical layout of a kitchen. It should be noted that this portion of the property had, until quite recently, been occupied by a portion of the original Hannah Barker House of similar form and massing (See image below). The detached garage is set back as far as possible on the site while still allowing for a 25 foot back up distance from the garage. The garage is at a minimum depth to provide one required off street parking space. The width of 13'-4" provides 1 car parking with minimal additional storage capacity to compensate for the lack of basement storage in the existing house. Therefore, the proposed additions represent the minimum variance to afford relief and are the least modification of the applicable provisions to allow for reasonable development of the property.



(D) - The maximum proposed height of the ridge line of the attached addition is 15'-6" above grade. The maximum proposed height of the detached garage is 13'-6". The subject property is in the RMX-1 zoning district, solar access area II, which is protected by a 25 foot high solar fence. Since none of the proposed additions exceed the height of the solar fence, there is no conflict with Section 9-9-17 "Solar Access", B.R.C. 1981.

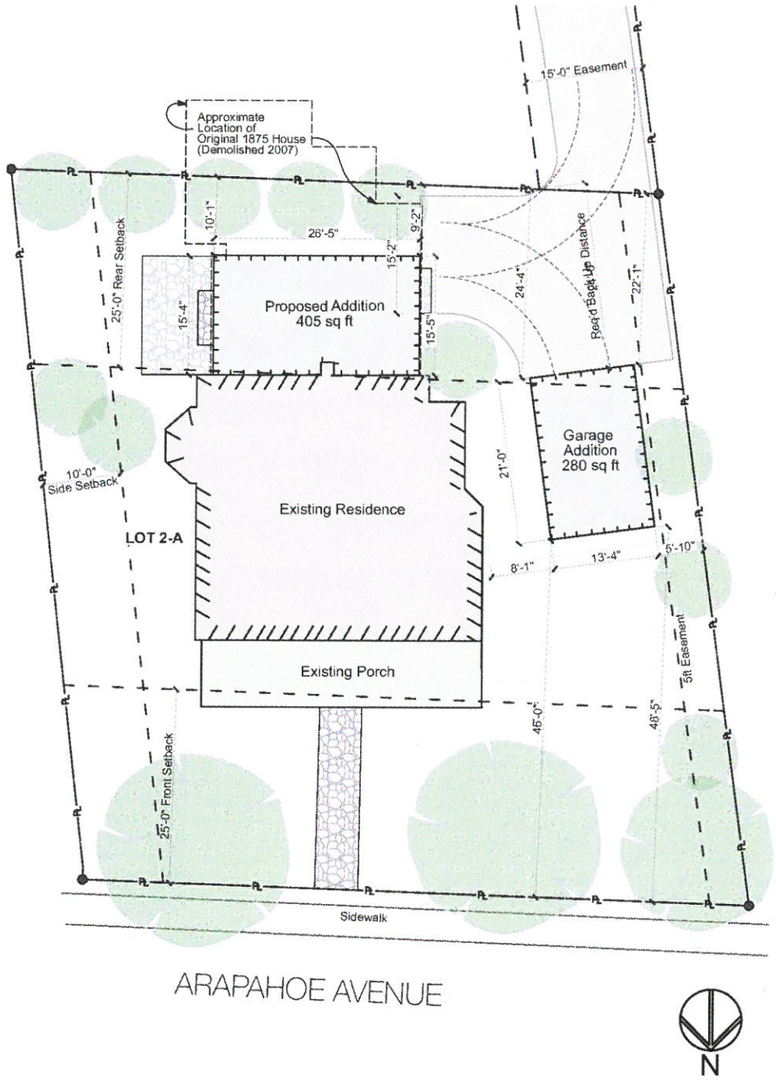
Attachment 1

Property Data

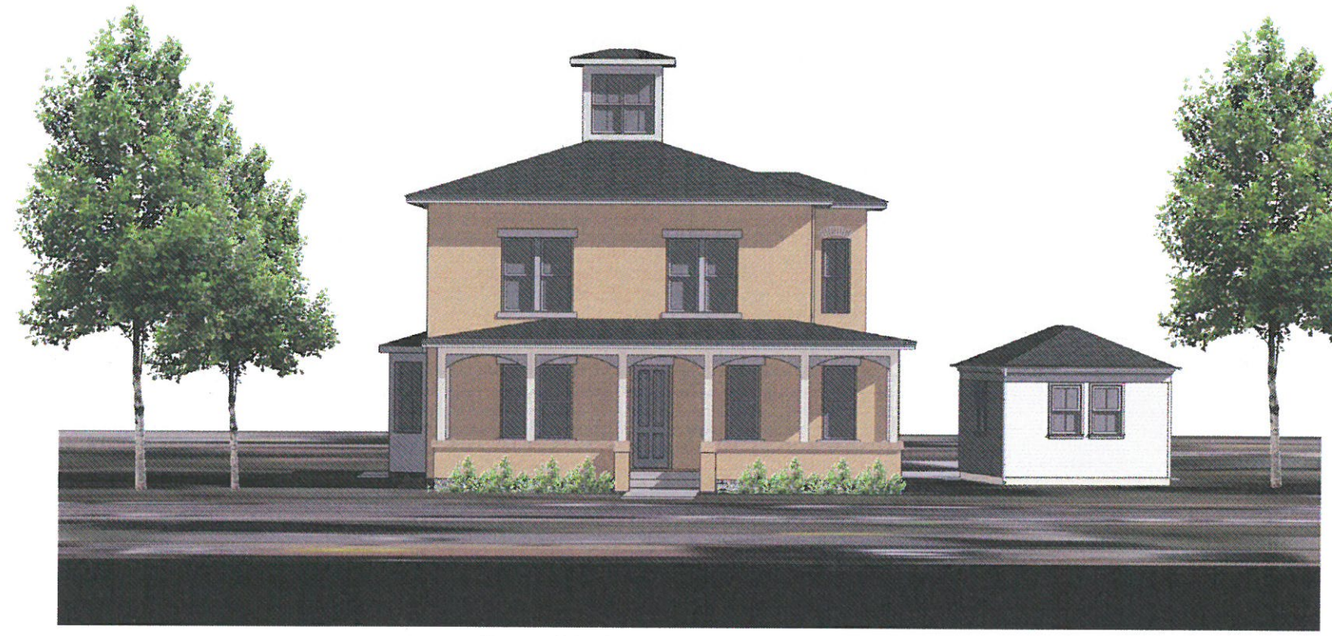
SITE/ ZONING DATA	
ZONING	RMX-1
LOT AREA	7,600
OFF STREET PARKING	1 IN GARAGE
MAXIMUM BUILDING HEIGHT	34'-9"'
YEAR BUILT	1875
ALTERATION CERTIFICATE REQ'D	YES
BUILDING AREAS	
PRINCIPAL STRUCTURE	
EXISTING CONDITIONED FLR AREA	**2,260**
MAIN LEVEL	1,192
UPPER LEVEL	1,068
NEW CONDITIONED FLR AREA	
MAIN LEVEL	402
UPPER LEVEL	0
TOTAL CONDITIONED FLR AREA	**2,662**
ACCESSORY STRUCTURE	
NEW DETACHED GARAGE	280
SETBACKS	
PRINCIPAL STRUCTURE	
SIDE YARD - MIN 5 FT, COMBINED 15 FT	**MET**
FRONT YARD - 25 FT	**MET**
REAR YARD - 25 FT	**VARIANCE REQUEST**
PROVIDE 9'-2" WHERE 25'-0" REQ'D	
ACCESSORY STRUCTURE	
SIDE YARD - MIN 3 FT OR 0 FT	**MET**
REAR YARD - MIN 3 FT OR 0 FT	**MET**
FRONT YARD - 55 FT	**VARIANCE REQUEST**
PROVIDE 46'-0" WHERE 55'-0" REQ'D	
COMPATIBLE DEVELOPMENT	
BULK PLANE REQUIREMENT	**MET**
SIDE YARD WALL ARTICULATION	**MET**
ALLOWABLE FAR FLOOR AREA	**3,932**
PROPOSED FLOOR AREA (FAR)	**2,942**
MAIN LEVEL	1,874
UPPER LEVEL	1,068
ALLOWABLE BUILDING COVERAGE	**2,570**
PROPOSED BUILDING COVERAGE	**1,874**
SOLAR	**MET**
SOLAR FENCE HEIGHT	**25'-0"**
MAXIMUM PROPOSED HEIGHT	**15'-6"**

Hannah Barker House

Addition and Interior Renovation
800 Arapahoe Ave., Boulder CO

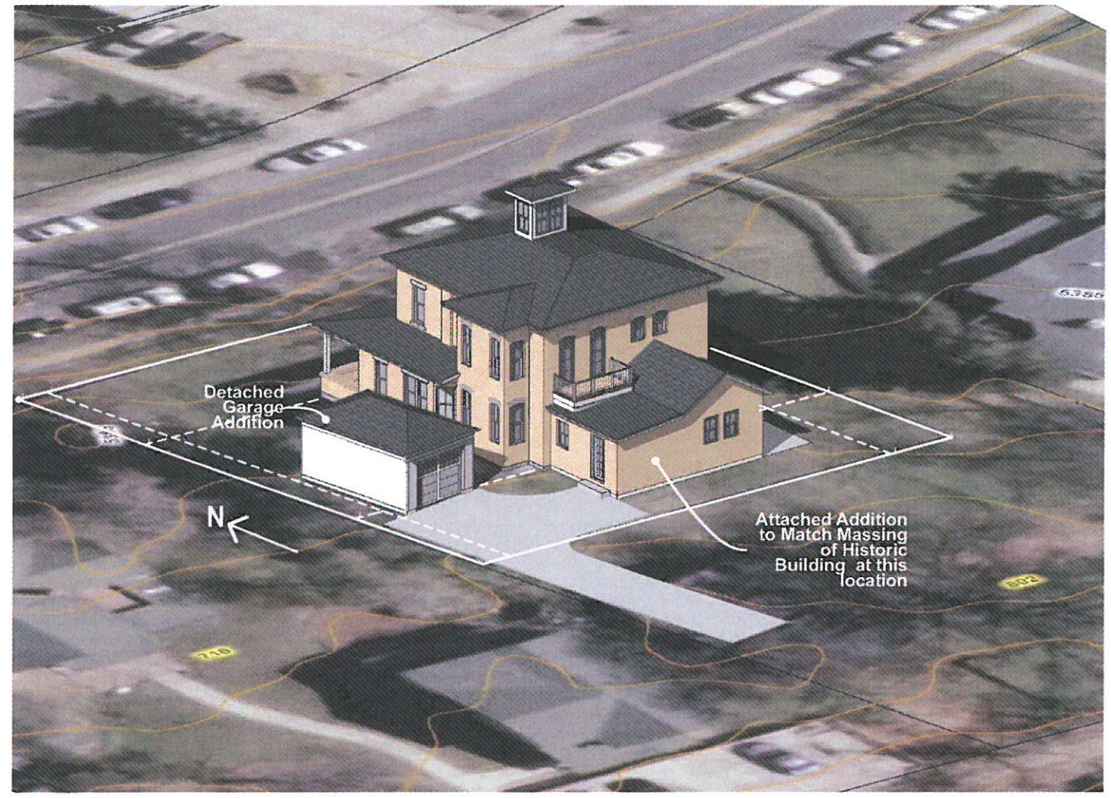


2 Site Plan - Proposed
SCALE: 1" = 10'



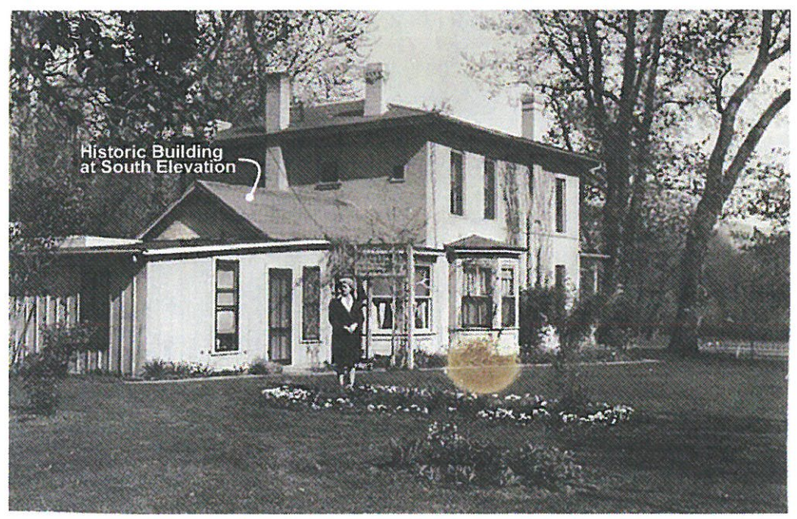
Street (North) Perspective - Proposed

SE Render - Proposed



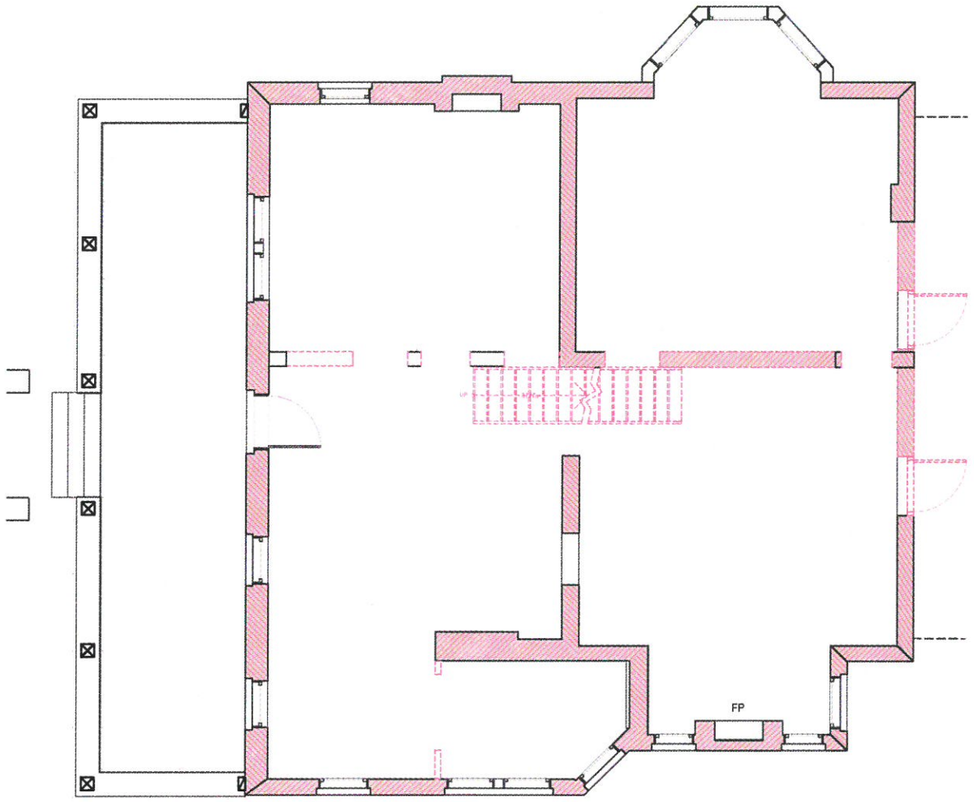
SW Render - Proposed

Historic View From Northwest

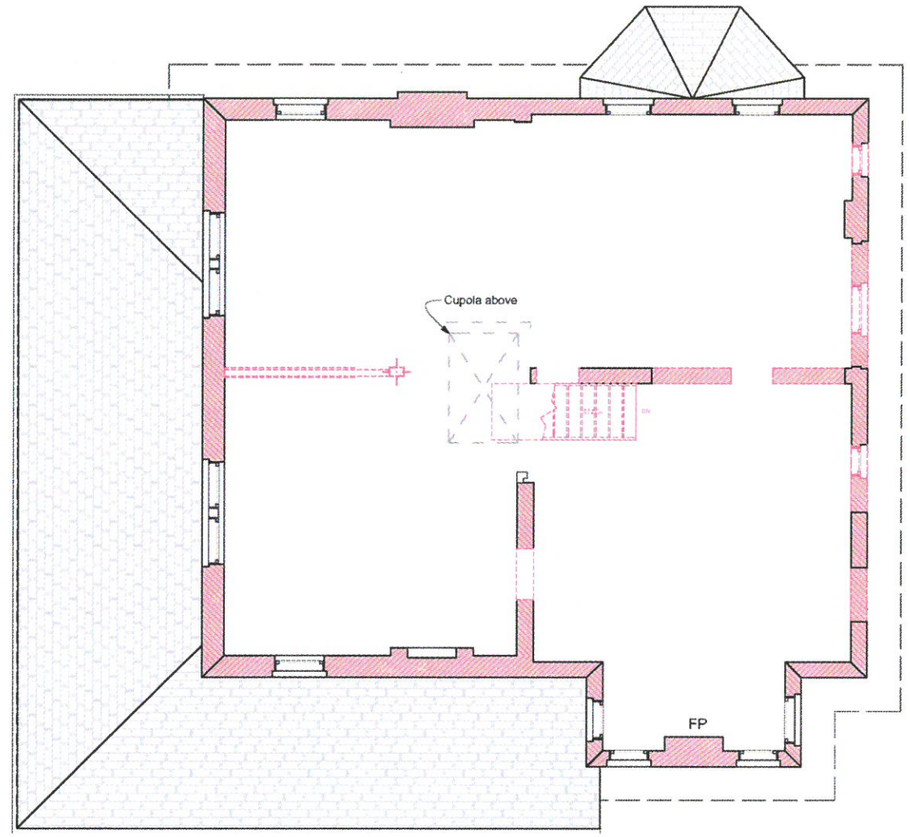


Historic View From Southeast

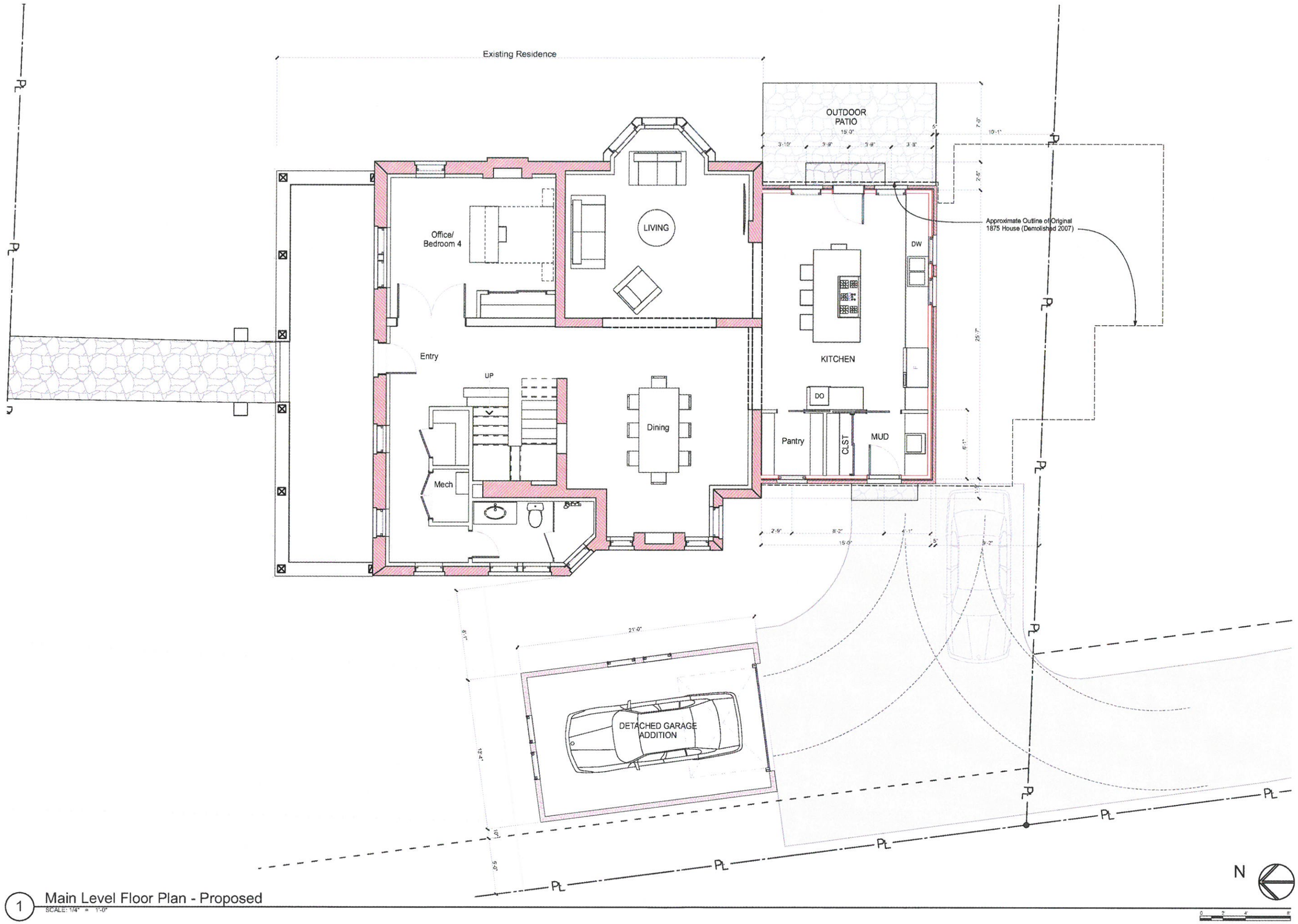
Historic Drawing From Northeast



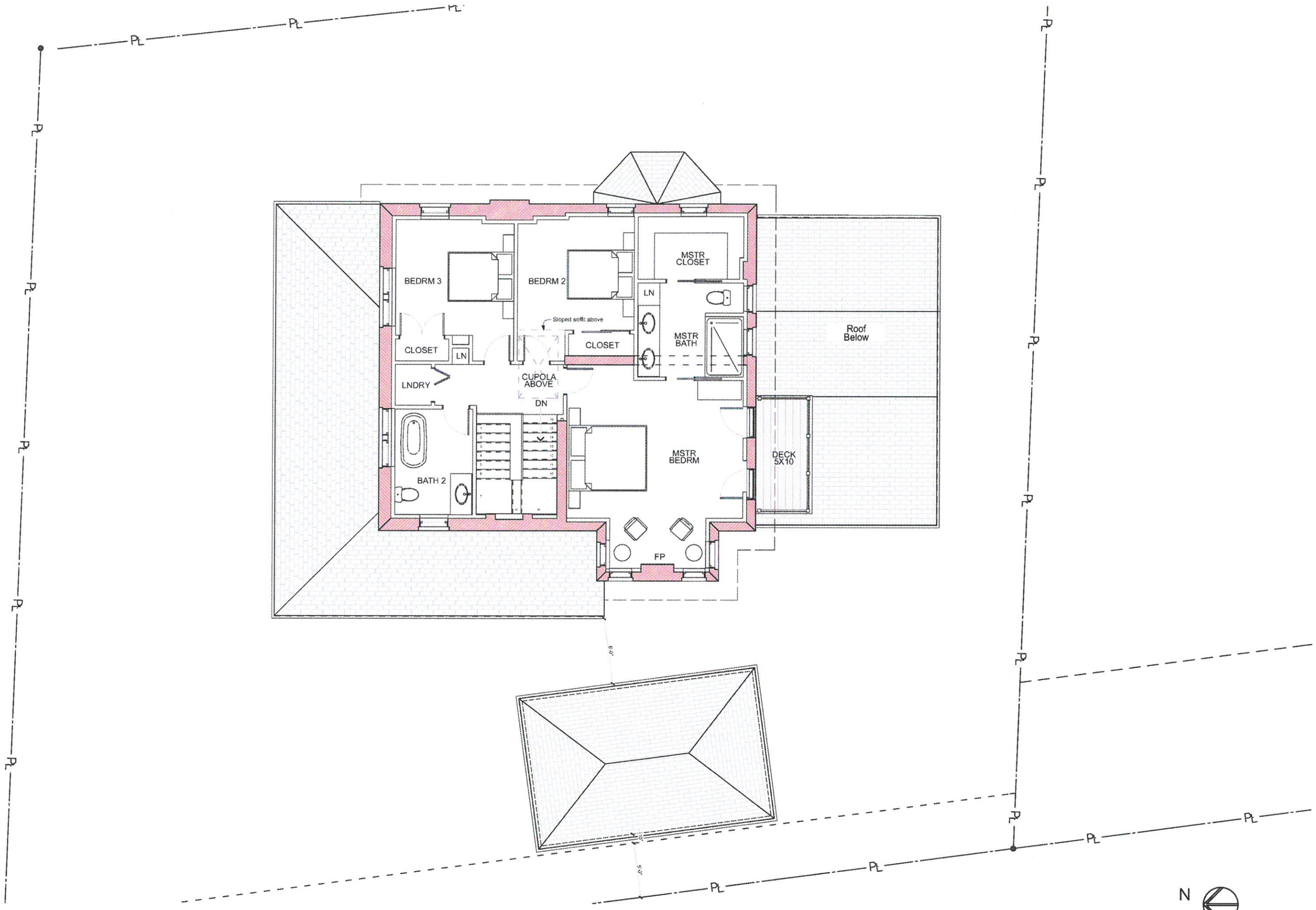
1 Main Level Floor Plan - Existing & Demo
SCALE: 1/4" = 1'-0"



2 Upper Level Floor Plan - Existing & Demo
SCALE: 1/4" = 1'-0"

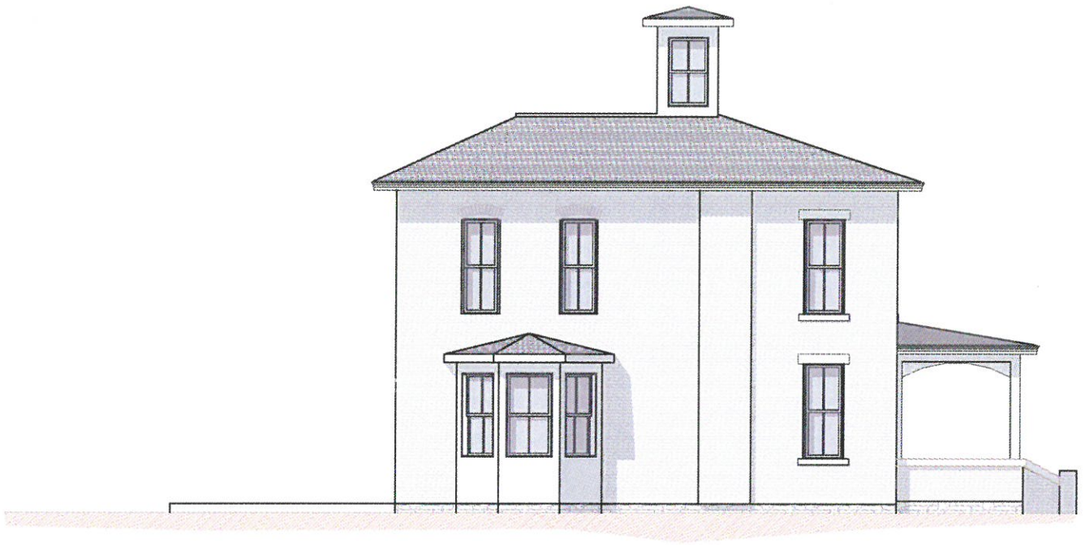


1 Main Level Floor Plan - Proposed
SCALE: 1/4" = 1'-0"



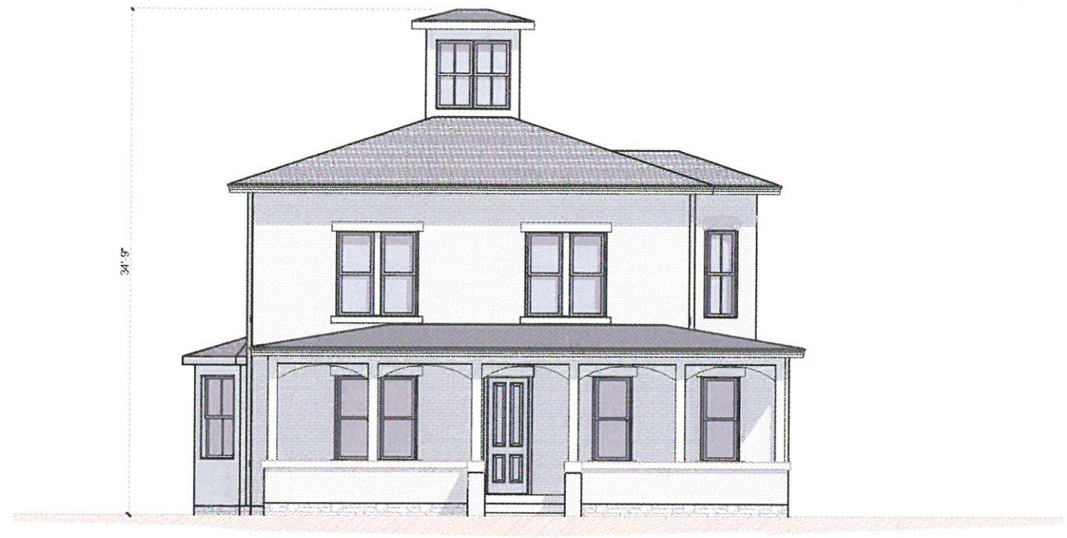
1 Upper Level Floor Plan - Proposed

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



East – Existing

SCALE: 3/16" = 1'-0"

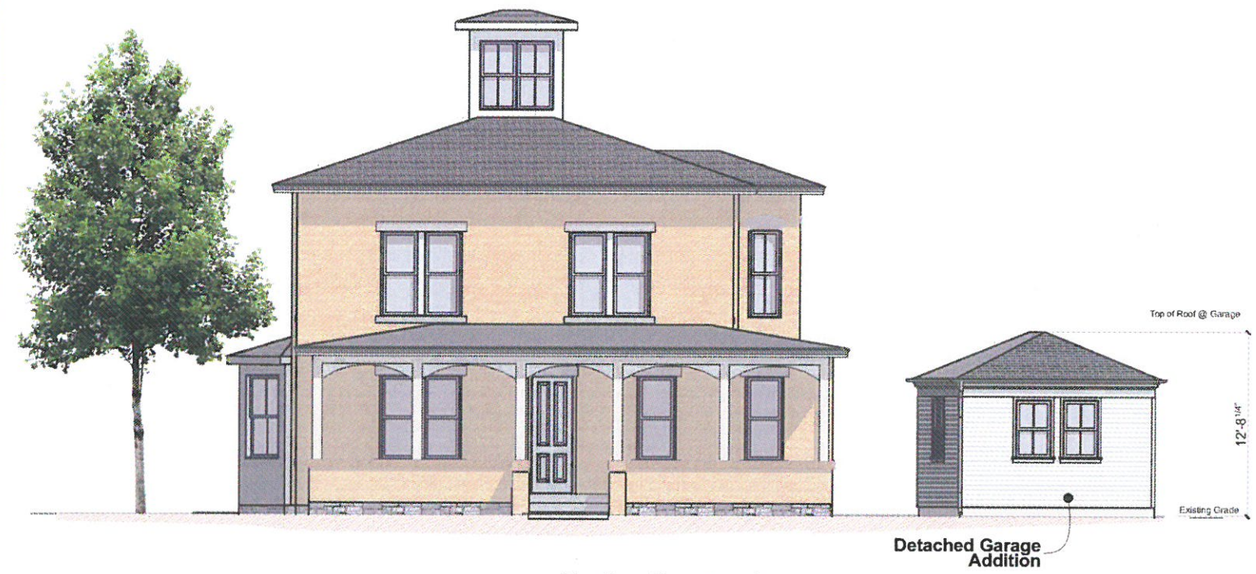


North – Existing

SCALE: 3/16" = 1'-0"

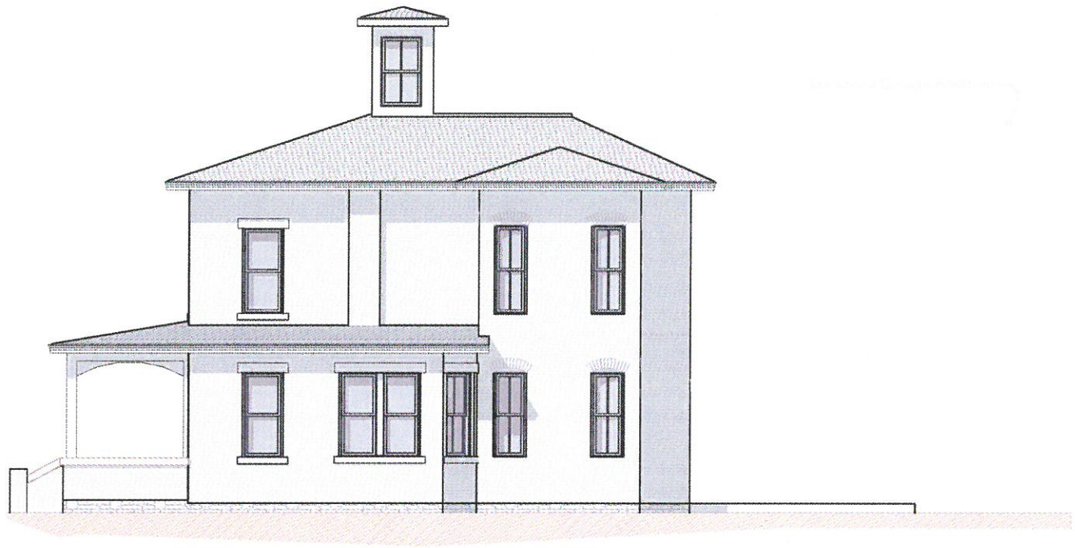
East – Proposed

SCALE: 3/16" = 1'-0"



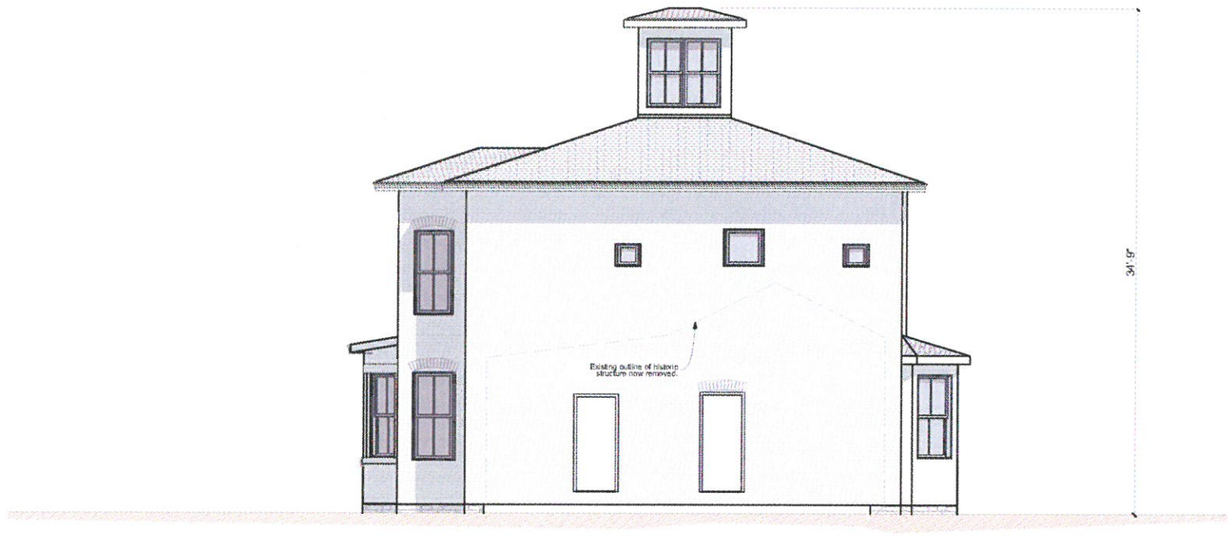
North – Proposed

SCALE: 3/16" = 1'-0"



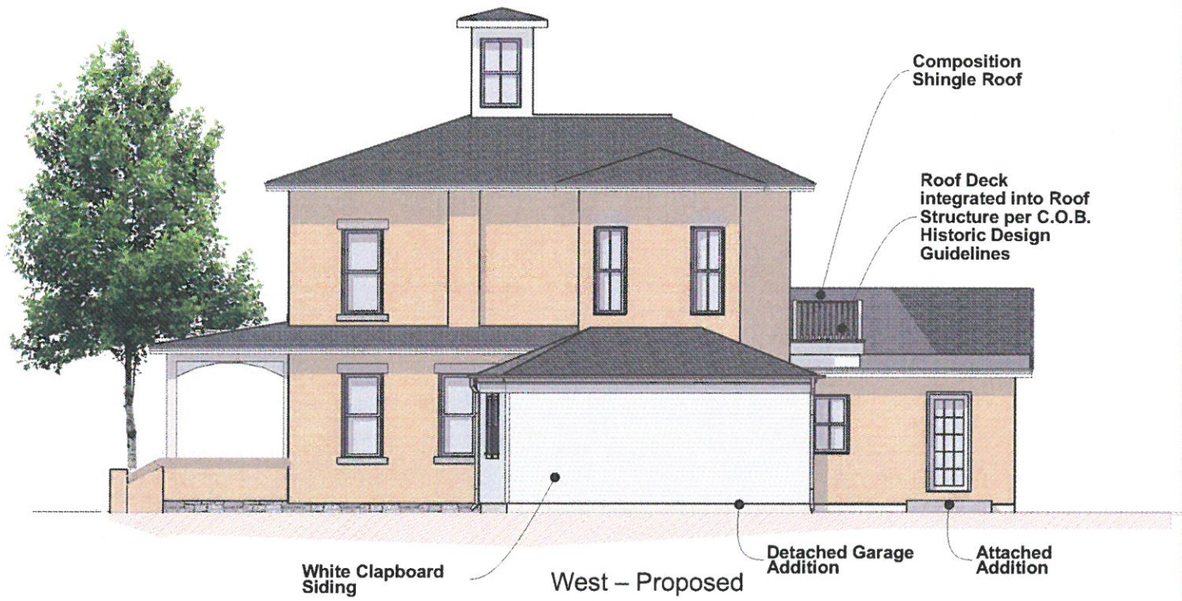
West – Existing

SCALE: 3/16" = 1'-0"



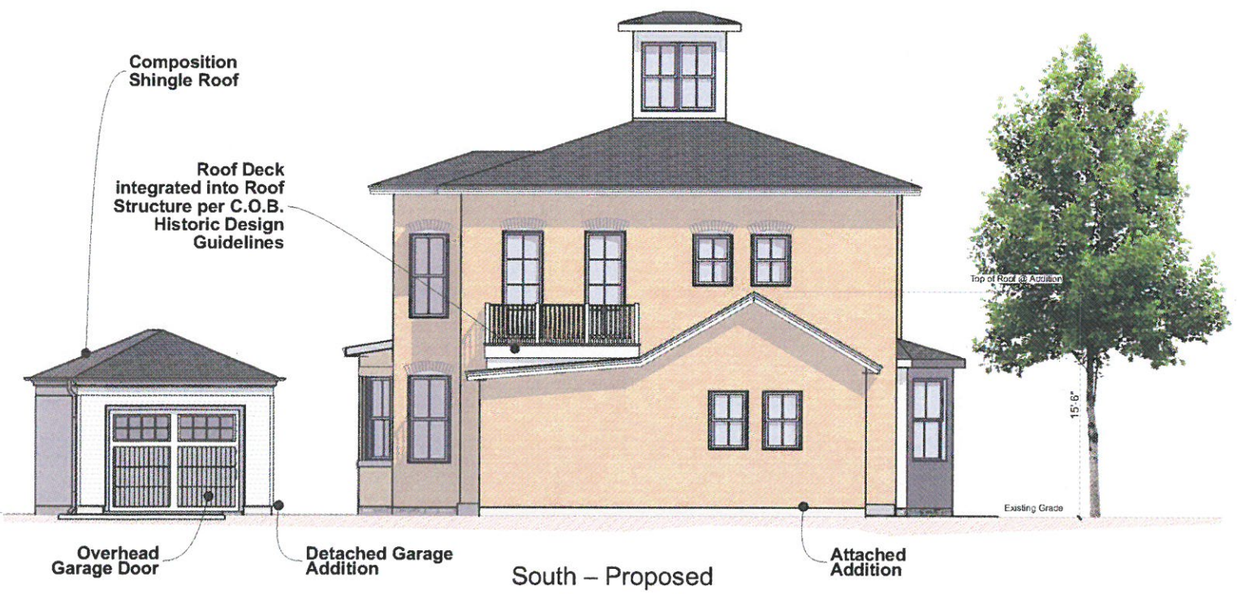
South – Existing

SCALE: 3/16" = 1'-0"



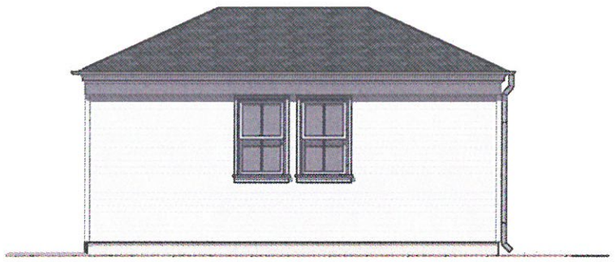
West – Proposed

SCALE: 3/16" = 1'-0"



South – Proposed

SCALE: 3/16" = 1'-0"

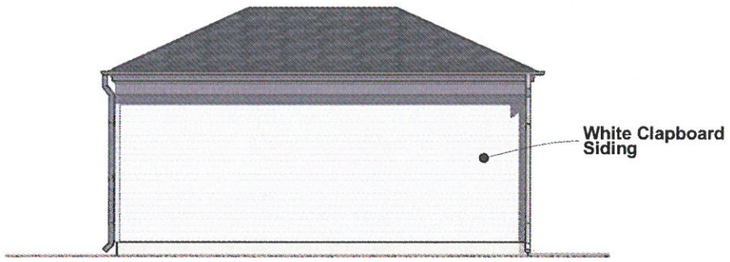


East Garage

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

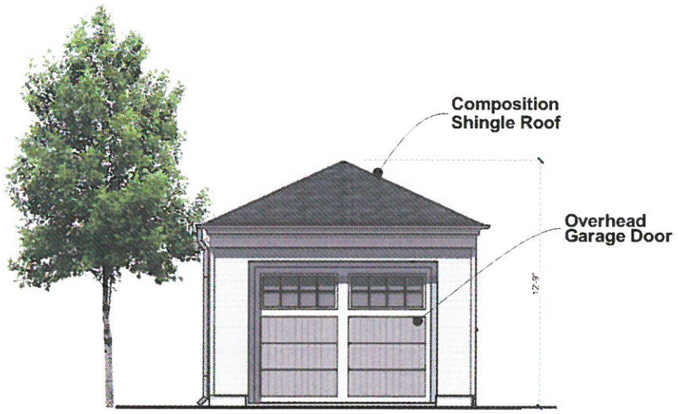
North Garage

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



West Garage

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



South Garage

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

CITY OF BOULDER
BOARD OF ZONING ADJUSTMENT
ACTION MINUTES
September 10, 2011 5 p.m.
1777 Broadway, Council Chambers

Board Members Present: Michael Hirsch (Chair), Ellen McCready, Jill Grano

Board Members Absent: David Schafer (V. Chair)

City Attorney Representing Board: Erin Poe

Staff Members Present: Brian Holmes, Robbie Wyler, Cindy Spence

1. CALL TO ORDER:

M. Hirsch called the meeting to order at 5:11 p.m.

2. BOARD HEARINGS:

A. Docket No.: BOZ2015-08
Address: 2243 13th Street
Applicant: First Church of Christ, Scientist
Setback Variance: As part of a proposal to reconstruct existing exterior stairs, including putting in a new configuration of railings and stairs, the applicant is requesting a variance to the front (easterly) yard setback. The resulting front yard setback will be approximately 1 foot 6 inches (1.5 feet) where 25 feet is required and where approximately zero (0) feet exists today. Section of the Land Use Code to be modified: Section 9-7-1, BRC 1981.

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

Applicant's Presentation
Shawn Berry, Workshop8, **1720 15th Street,** the applicant, presented the item to the board.

Public Hearing
No one from the public addressed the board.

DRAFT

Board Discussion
E. McCready agreed with **J. Grano** that the project seems straightforward. It is a good solution for safety and accommodating public gathering. It meets the criteria of 1 and 5. All board members agreed with **E. McCready's** comments.

Motion
On a motion by **E. McCready**, seconded by **J . Grano**, the Board of Zoning Adjustment approved (3-0, **D. Schafer** absent) the application (**Docket 2015-08**) as submitted.

B. Docket No.: BOZ2015-09
Address: 2303 Bluff Street
Applicant: Madeline Vogenthaler and Peter Hoglund
Setback Variance: As part of a proposal to construct new dormers on an existing addition to a landmarked property, the applicant is requesting a variance to the side (west) yard setback. The subject side yard is adjacent to a street and requires a 25 foot setback because of the adjacency rule which requires a front yard setback when an adjacent property fronts the same street. The resulting side yard setback will be approximately 17 feet 8 inches (17.66 feet) where 25 feet is required and where approximately nine (9) feet exists today. Section of the Land Use Code to be modified: Section 9-7-1, BRC 1981.

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

Applicant's Presentation
Steve Montgomery, 2207 Mapleton Ave., the applicant, presented the item to the board.

Public Hearing
No one from the public addressed the board.

Board Discussion
M. Hirsch stated that the intent is good and does not see the setback amount as a concern. It will provide more square footage with the least amount of impact. **J. Grano** stated that it would benefit the home and make that space habitable. All board members were in agreement.

Motion
On a motion by **J. Grano**, seconded by **E. McCready**, the Board of Zoning Adjustment approved (3-0, **D. Schafer** absent) the application (**Docket 2015-09**) with a setback variance amount to be no less than 17 feet 2 inches.

3. GENERAL DISCUSSION:
A. Approval of Minutes:
On a motion by **E. McCready**, seconded by **J. Grano**, the Board of Zoning Adjustments voted 3-0 (**D. Schafer** absent) approved the June 11, 2015 minutes.

B. Matters from the Board

There were no matters from the Board**.**

C. Matters from the City Attorney

City Attorney reminded the board that it is election time and the section of the B.R.C. regarding election campaigns and the role of any board members.

D. Matters from Planning and Development Services

- **B. Holmes** spoke to the board regarding the status of the new BOZA member appointment. No candidates have applied at this time. **B. Holmes** appealed to the board members to recruit as well.
- **B. Holmes**, received training from CAO, as a board member may be asked to condone an issue, an initiative, and weigh in as a board. If, as a board, you feel have a strong opinion on a topic, then as a board you should alert the City Council to look into the issue at hand. It would be more appropriate to have the dialog with City Council, rather than get involved on political initiative if acting as a board.
- Staff informed the board that they are anticipating a BOZA hearing October 8, 2015.

4. ADJOURNMENT:

There being no further business to come before the board at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED AT 5:49 P.M

APPROVED BY

_____

_____

DATE