CITY OF BOULDER
BOARD OF ZONING ADJUSTMENT
MEETING AGENDA

DATE: Thursday, October 10, 2013
TIME: Meeting to begin at 5 p.m.
PLACE: 13th Street Conference Room, 1720 S. 13th Street

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

Oath of Office for Christopher Lane

2. BOARD HEARINGS

Docket No.: BOZ2013-09
Address: 1439 North Street
Applicant: Sue Deans

Setback Variance: As a part of a proposal to construct a new carport onto an existing non-standard building where no covered parking or garage exists on site; the applicant is requesting a variance to the side yard and combined side yard setback requirements of the RL-1 zoning district. The addition is proposed with the following: a west side yard setback of 3.16’ where 5’ is required and where 6.69’ exists; and a total side yard setback of 8.74’ where 15’ is required and where approximately 12.27’ exists. Section of the Land Use Regulations to be modified: Section 9-7-1, BRC 1981.

3. GENERAL DISCUSSION

A. Approval of Minutes

The July 11, 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

Board and Commission Committee presentation by Councilmember Ageton

4. ADJOURNMENT

For more information call Brian Holmes or Susan Meissner at 303-441-1880 or via e-mail 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.

*** * * 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: 1439 NORTH STREET
- Legal Description: Lot 13 Block 5 Subdivision SUNSET HILLS (Or attach description.)
- Existing Use of Property: RESIDENTIAL
- Description of proposal:

WE PROPOSE TO BUILD 10' x 20' CARPORT ADDITION TO SOUTH-WEST CORNER OF EXISTING RESIDENCE.

*Total floor area of existing building: 2726 S.F.	*Total floor area proposed: 2926 S.F.
*Building coverage existing: 1518 S.F.	*Building coverage proposed: {SAME}
*Building height existing: 28'	*Building height proposed: {SAME}

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

- **Name of Owner:** SUE DEANS
- Address: 1439 NORTH ST. Telephone: 303.413.1012
- City: BOULDER State: CO. Zip Code: 80304 FAX: —
- **Name of Contact (If other than owner):** JON CHAMBERS
- Address: 1525 MARSHALL RD. Telephone: 303.803.7797
- City: BOULDER State: CO. Zip Code: 80305 FAX: —

STAFF USE ONLY

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

APPLICATION TYPES

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

Applicant / Owner Signature _____ Date 8/21/13

Chambers Architects & Builders, Inc.

8/19/13

Re: Setback Variance for Carport Addition

Sue Deans Residence
1439 North Street [RL-1 zoning district]
Boulder, CO. 80304

Dear BOZA,

The purpose of this letter is to explain the reasons that we are requesting this setback variance.
We propose to build a small carport addition to the southwest corner of Sue Deans' residence.
Please have a look at the attached drawings of the proposed carport to help explain the site constraints and proposed construction.

(1) Physical Conditions:
   a. The north half of this lot is designated as flood plain and cannot be developed. This zoning has limited the development of this property to a small footprint on the south end of the lot. There is only one location to provide one covered parking space. That is the location of our proposed carport.
   b. The owner simply wants to be able to easily access her home in adverse weather conditions.
   c. Numerous properties within this neighborhood have added garages or carports on or near their lot lines.
   d. The existing west setback to the north-west portion of the residence is 6.7 feet. The existing east setback is 5.6 feet. We are currently 2.7 feet short of the cumulative setback requirement.
   e. The north-west addition to the original residence existed when the current owner purchased the property. Therefore, the setback condition has not been created by the applicant.

(2) Requirements for all Variance Proposals:
   a. This carport addition is designed to blend in to the style of the existing residence. It will not alter the essential character of the neighborhood in which it is located.
   b. This carport will be located in an area that is not used by the neighbor. It would not substantially impair the reasonable use and enjoyment or development of adjacent property.
      i. Our neighbors have no objection to our project. They reviewed the drawings attached prior to signing the attached approval letter.
   c. The proposed carport is small by some standards. It is just large enough to allow access in and out of a vehicle. Therefore, this would be the minimum variance that would afford relief and would be the least modification of the applicable provisions of this title.

d. The roof edge of the proposed carport is two feet four inches to the east of the property line and is about eight feet above existing grade. This volume would not conflict with the provisions of Section 9-9-17 "Solar Access" B.R.C. 1981.

(3) Building Coverage & Floor Area Ratio:

a. This property is well within building coverage and FAR standards.
   i. Building coverage allowed = 2,924 sf.
   ii. Existing building coverage = 1,518 sf.
   iii. Allowable FAR = 3,974 sf.
   iv. Existing FAR = 2,726 sf.

b. Our project will add 256 sf. of covered area

We respectfully request that you grant this setback variance so that Sue Deans can enjoy her home for many years to come. We appreciate your consideration in this matter

Sincerely,

Jon Chambers, AIA, LEED AP

1525 Marshall Rd.
Boulder, CO. 80305
303-499-9869

Chambers Architects & Builders, Inc.

8/14/13

Tim Hillman & Carrie Jackson
1429 North Street
Boulder, CO. 80304

Dear Tim & Carrie,

The purpose of this letter is to let you know that your neighbor to the east, Sue Deans, is planning to add a carport. We propose to build a small carport addition to the southwest corner of her residence.

We will be applying for a "setback variance" from the Boulder Board of Zoning Adjustment next week. We are applying for the variance because there is only one place to put this structure on Sue's property. One wall of the carport will be three feet from the property line, due to site constraints and the size required to park a car.

Please have a look at the attached drawings of the purposed carport, and give me a call with any questions.

It would be helpful if you could sign this letter to note that you have no objection to this proposed addition.

Sincerely,

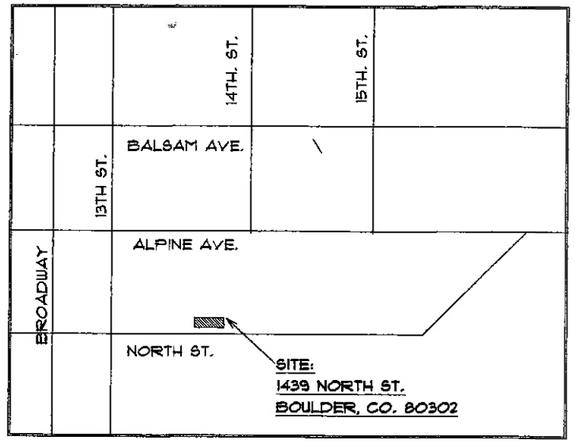
Jon Chambers, AIA, LEED AP

1525 Marshall Rd.
Boulder, CO. 80305
303-499-9869

Approved by:

Tim Hillman — Date: 8/19/13

Carrie Jackson — Date: 8/19/2013

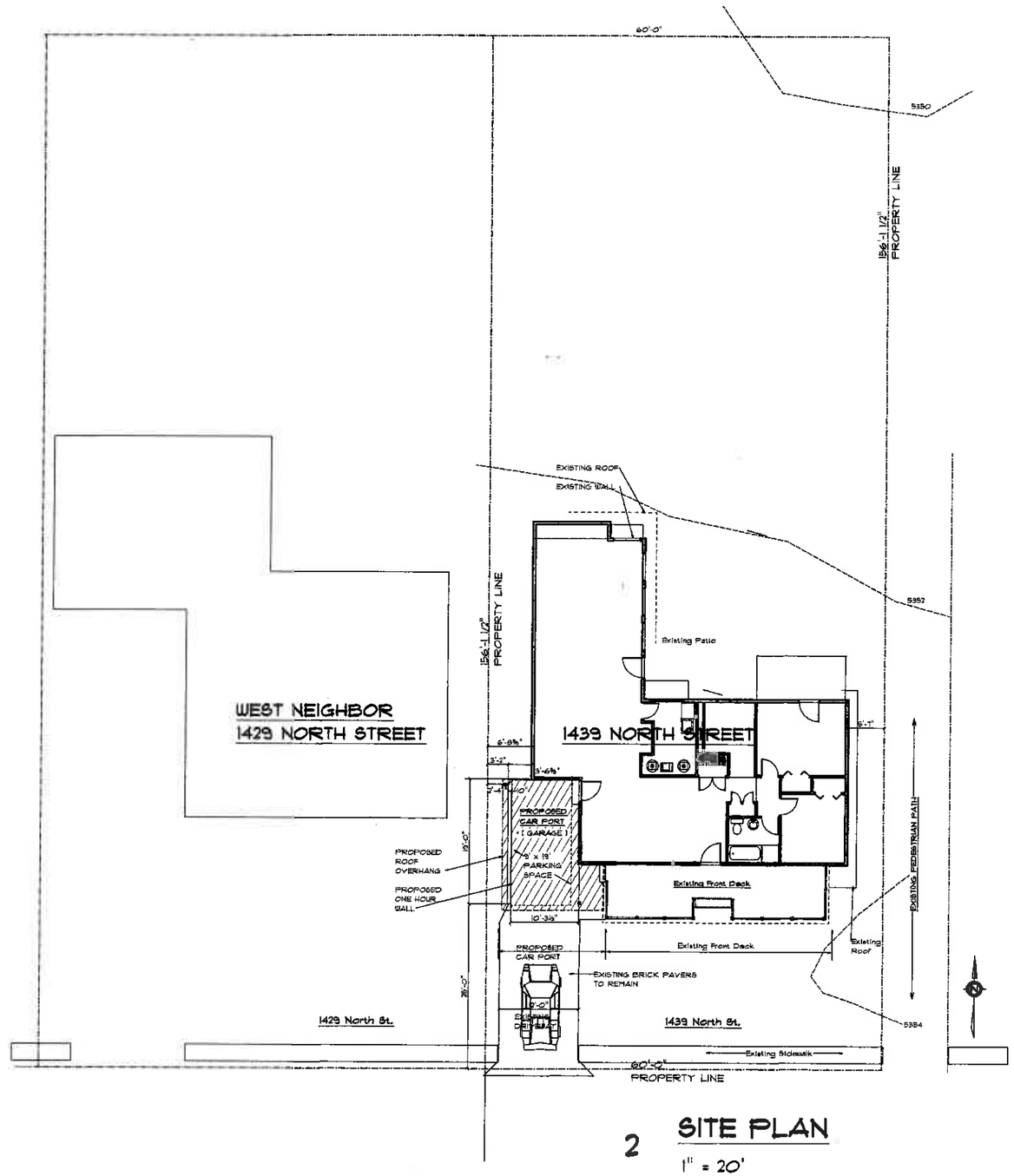


1 VICINITY MAP
NO SCALE

NORTH

PROPERTY DESCRIPTION

ADDRESS: 1429 NORTH STREET
LEGAL: E 60 FT. OF S 156.13 FT.
LOT 13, BLK 5, SUNSET HILL
ZONING: RL-1
LAND USE: LR
OWNER: SUE DEANS



2 SITE PLAN
1" = 20'

revision

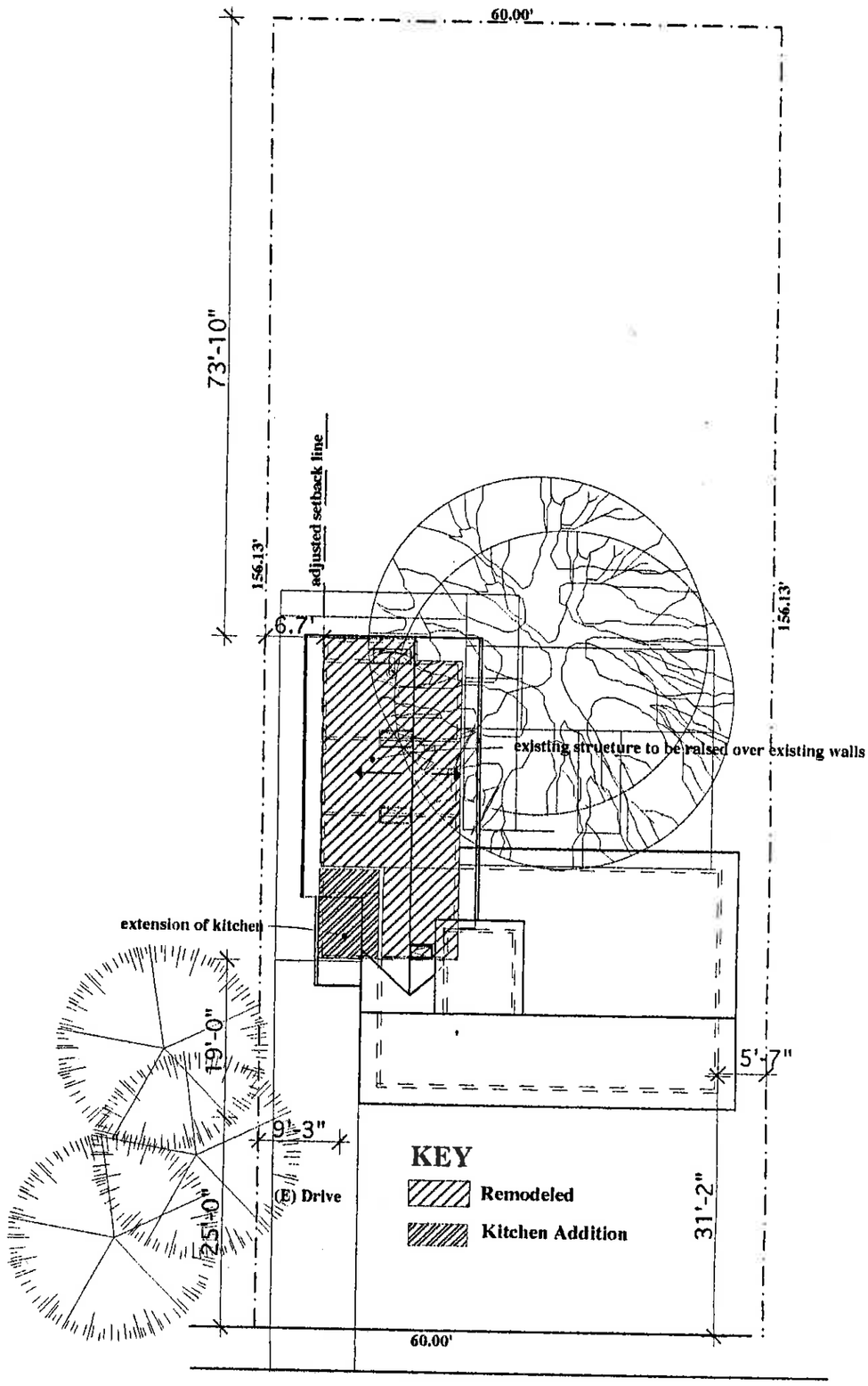
Sue Deans, Proposed Carport

1439 North Street
Boulder, CO 80302

Chambers Architecture, Inc.
1525 Marshall Road
Boulder, CO. 80305
303-803-1191
(e-mail) jane
chambersarchitecture.com

date:
8/21/13

A-1



1439 NORTH STREET

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

Note: The solar fence on the west side is 25', the structure is less than 25' high, therefore we have been instructed that a solar analysis is note required.

Architect: Dave Austin Robb, days 292-3388, evenings 665-1368
Structural Engineer: Tim Schuld, 447-2818

Christoph Residence Remodel/Addition
1439 North Street, Boulder Colorado

For construction

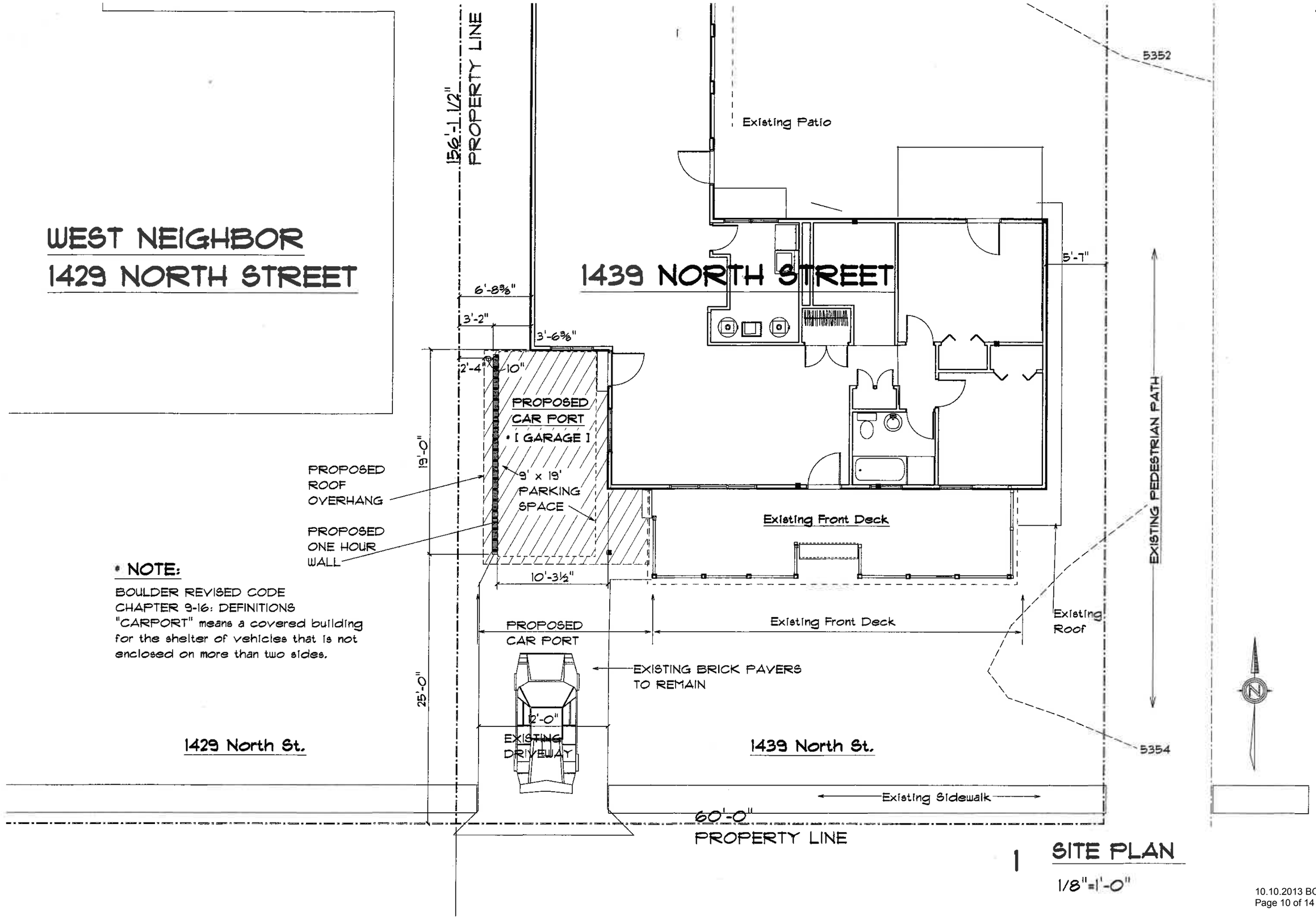
Date: 4-19-96
Rev:

A1

GENERAL STRUCTURAL NOTES (S95199)

1439 NORTH STREET

WALL STUDS SHALL BE CONTINUOUS FROM
OR TO FLOOR OR FROM FLOOR TO ROOF (UNLESS



• NOTE:

BOULDER REVISED CODE
CHAPTER 9-16: DEFINITIONS
"CARPORT" means a covered building for the shelter of vehicles that is not enclosed on more than two sides.

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

OWNERSHIP OF DOCUMENTS AND DESIGNS

ALL ARCHITECTURAL DOCUMENTS AND DESIGNS DEVELOPED BY C.A. REMAIN C.A. PROPERTY AND ARE TO BE USED ON THIS PROJECT ONLY UNDER THE TERMS OF THIS LETTER OF AGREEMENT. THE CLIENT SHALL NOT, WITHOUT PRIOR WRITTEN APPROVAL OF C.A., USE THE DOCUMENTS OR DESIGNS PROVIDED UNDER THIS LETTER OF AGREEMENT ON OTHER PROJECTS OR ARRANGE, SELL, OR TRANSFER THE SAME TO OTHERS.

DUTY OF COOPERATION

RELEASE OF THESE DOCUMENTS ANTICIPATES FURTHER COOPERATION BETWEEN THE OWNER, THE CONTRACTOR AND THE ARCHITECT. ALTHOUGH THE ARCHITECT AND HIS CONSULTANTS HAVE PERFORMED THEIR SERVICES WITH DUE CARE AND DILIGENCE, THEY CANNOT GUARANTEE PERFECTION. ANY AMBIGUITY OR DISCREPANCY DISCOVERED SHALL BE REPORTED IMMEDIATELY TO THE ARCHITECT. FAILURE TO COOPERATE BY A SIMPLE NOTICE TO THE ARCHITECT SHALL RELIEVE THE ARCHITECT FROM RESPONSIBILITY OF ALL CONSEQUENCES. CHANGES MADE FROM THE PLANS WITHOUT THE CONSENT OF THE ARCHITECT ARE UNAUTHORIZED AND SHALL RELIEVE THE ARCHITECT OF RESPONSIBILITY FOR ALL CONSEQUENCES ARISING OUT OF SUCH CHANGES.

C.A. • (Chambers Architecture, Inc.)

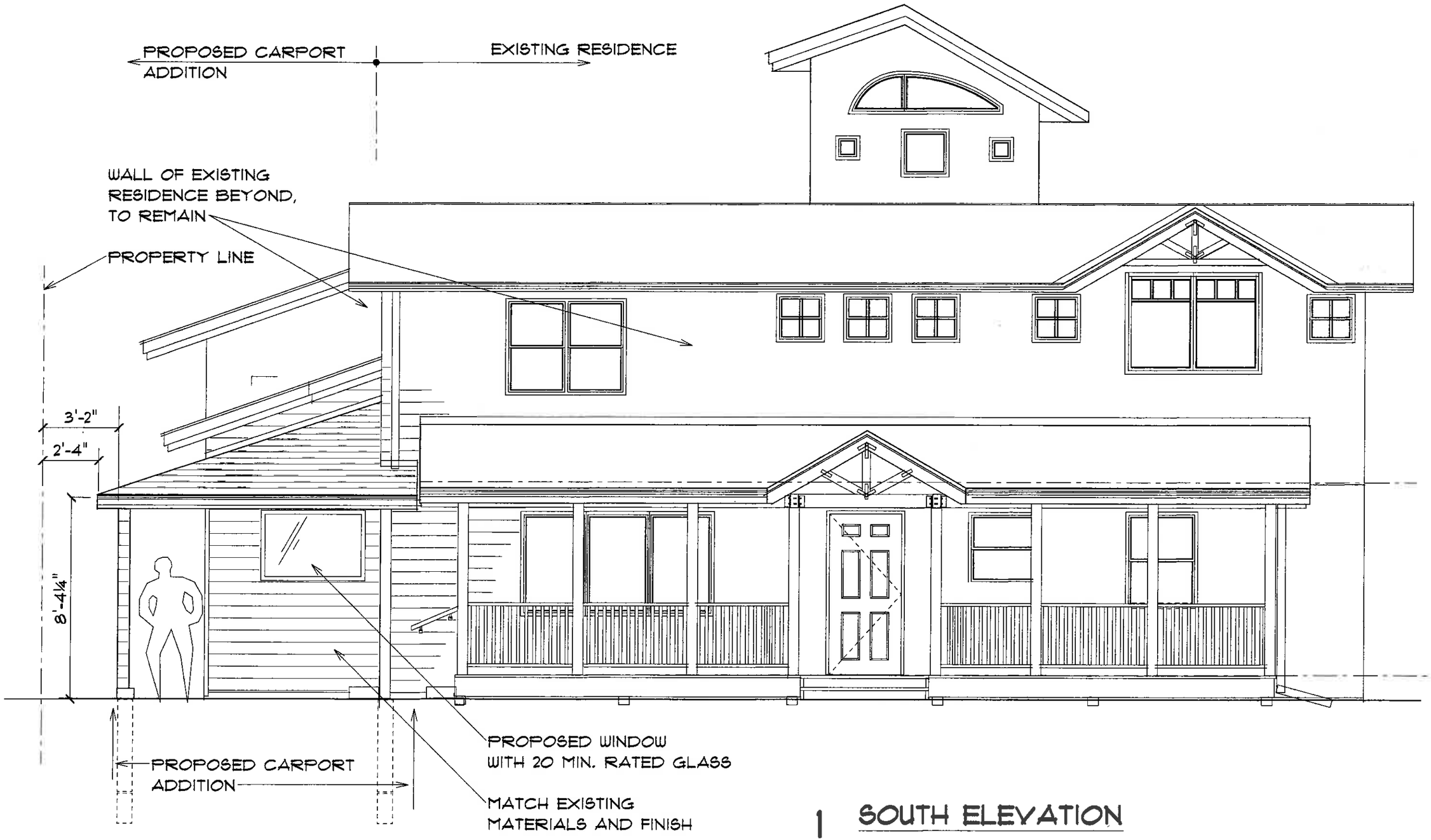
revision

Sue Deans, Proposed Carport
1439 North Street
Boulder, CO 80302

Chambers Architecture, Inc.
1525 Marshall Road
Boulder, CO. 80305
303-499-9863
(e-mail) jone
chamberserchitecture.com

date:
8/21/13

A-2



1 SOUTH ELEVATION

1/4"=1'-0"

revision

Sue Deans, Proposed Carport

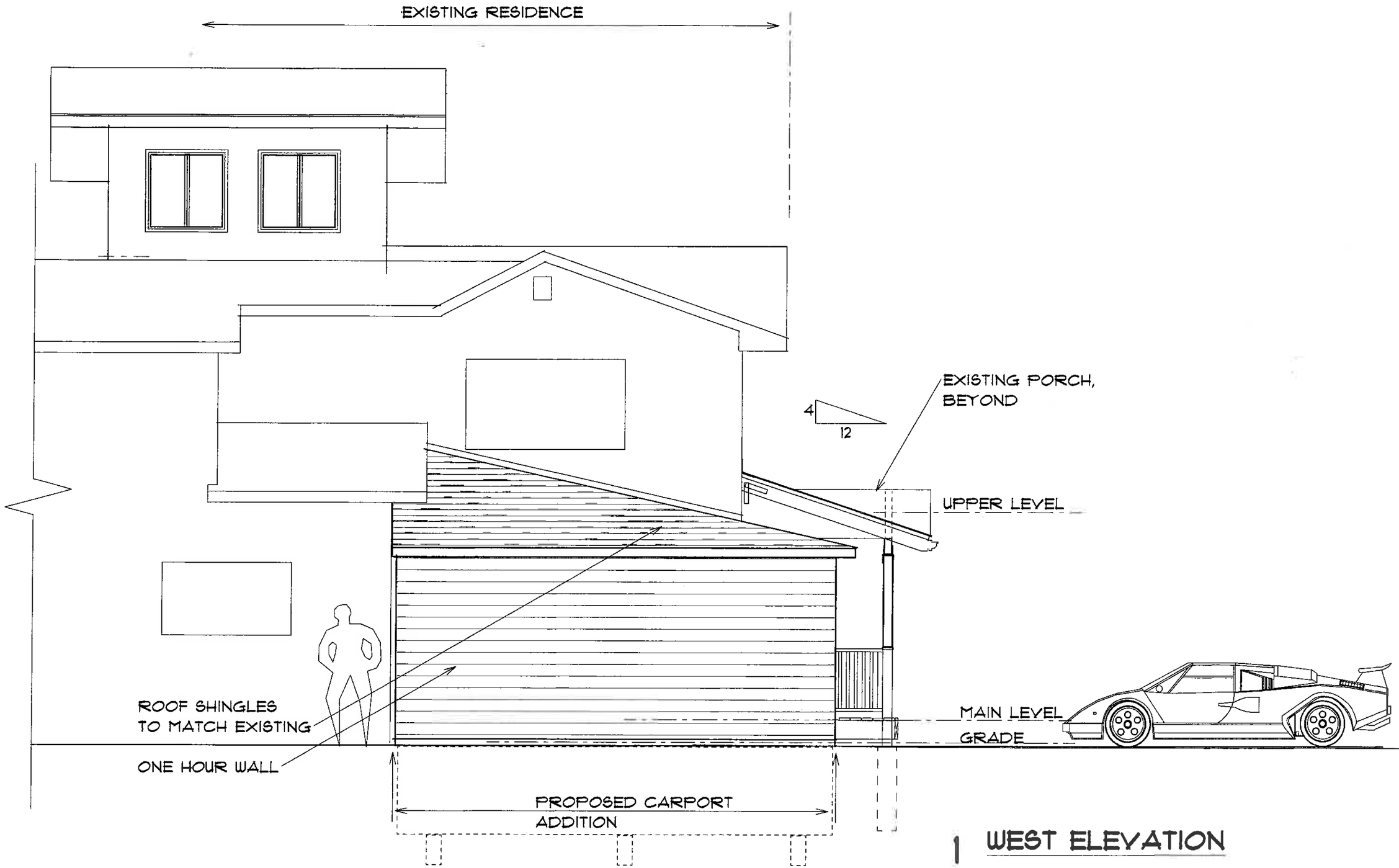
1439 North Street
Boulder, CO 80302

Chambers Architecture, Inc.
1525 Marshall Road
Boulder, CO. 80305
303-803-7197
(e-mail) jone
chambersarchitecture.com

date:

8/21/13

A-3



1 WEST ELEVATION

1/4"=1'-0"

revision

Sue Deane, Proposed Carport

1439 North Street
Boulder, CO 80302

Chambers Architecture, Inc.
1525 Marshall Road
Boulder, CO. 80305
303-803-7197
(e-mail) Jone
chamberearchitecture.com

date:

8/21/13

A-4

CITY OF BOULDER
BOARD OF ZONING ADJUSTMENT
ACTION MINUTES
July 11, 2013, 5 p.m.
1777 Broadway, Council Chambers

Board Members Present:	Laura Coates Thomas Krueger, Ellen McCready, David Schafer
Board Members Absent:	Michael Hirsch
City Attorney Representing Board:	Erin Poe
Staff Members Present:	Brian Holmes, Robbie Wyler, Susan Meissner, Glenn Magee

1. CALL TO ORDER:
T. Krueger called the meeting to order at 5:01 p.m.

2. BOARD HEARING:

Docket No.: BOZ2013-07
Address: 2020 Goss Street
Applicant: Elizabeth Rose Dykes

Setback Variance: As a part of a proposal to construct a new second floor addition on an existing non-standard building on a non-standard lot; the applicant is requesting a variance to the side yard and combined side yard setback requirements of the RMX-1 zoning district. The addition is proposed with the following: a west side yard setback of 4.2' where 5' is required and where 4.2' exists; and a total side yard setback of 6.2' where 15' is required and where approximately 6.2' exists. Section of the Land Use Regulations to be modified: Section 9-7-1, BRC 1981.

Staff Presentation
R. Wyler presented to the board.

Applicant Presentation
Rose Dykes, the applicant, presented to the board.

Board Discussion
L. Coates supported the application. She did not think the variance would make a large impact on surrounding properties.

E. McCready thought this was a minimal solution that made more sense than the by-right alternative. She noted that there is more development potential on the site and explained that future development should not be permitted to align with this variance, if granted.

D. Schafer supported the proposal noting that it would not negatively impact the neighborhood.

T. Krueger agreed that the proposal met the criteria for minimal amount of variance to provide relief for the question at hand and would allow the current owner to occupy the residence.

Motion
On a motion by **E. McCready**, seconded by **D. Schafer**, the Board of Zoning Adjustment approved 4-0 (**M. Hirsch** absent) the application (**Docket 2013-07**) as presented.

DRAFT

3. GENERAL DISCUSSION:

A. Approval of Minutes

On a motion by **D. Schafer**, seconded by **T. Krueger**, the Board of Zoning Adjustment approved 4-0 (**M. Hirsch** absent) the June 13, 2013 minutes.

B. Matters from the Board

C. Matters from the City Attorney

D. Matters from Staff

Council Chambers Remodel Discussion

G. Magee presented the item.

This was **L. Coates** last meeting. A new member should be appointed by the next meeting.

4. ADJOURNMENT:

There being no further business to come before the board at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED AT 5:38 P.M.

APPROVED BY

_____

_____

DATE