



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

DATE: Thursday, December 12, 2013

TIME: Meeting to begin at 5 p.m.

PLACE: West Conference Room, 1777 Broadway

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

1. CALL TO ORDER

2. BOARD HEARINGS

[Docket No.: BOZ2013-11](#)

Address: 1109 Pine Street

Applicants: Alex and Grant Besser

Variance to Owners Accessory Unit floor area limitation: As a part of a proposal to convert an existing detached garage into an Owners Accessory Unit (OAU) through internal conversion only; the applicants are requesting a variance to allow for the existing 637 square feet detached garage to be converted into an OAU, where 450 square feet is allowed. Section of the Land Use Regulations to be modified: Section 9-6-3, BRC 1981.

[Docket No.: BOZ2013-00012](#)

Address: 1025 Juniper Avenue

Applicant: Lanning Schiller

Setback Variance: As a part of a proposal to raise the roof above an existing non-standard building; the applicant is requesting a variance to the rear yard and interior side yard setback requirements of the RR-2 zoning district. The increase in height to the roof results in a single story building with the following: a rear yard setback of 6.7' where 25' is required and where 6.7' exists; and an interior side yard setback of 3' where 10' is required and where 3' exists. Section of the Land Use Regulations to be modified: Section 9-7-1, BRC 1981.

3. GENERAL DISCUSSION

A. Approval of Minutes

The [November 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. 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: 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: 1109 Pine Street
- Legal Description: Lot _____ Block 150 Subdivision Squire's Addition (Or attach description.)
- Existing Use of Property: Single Family Residential

• Description of proposal:

Convert existing 637 sf detached, historic garage to Owner's Accessory Unit where 450 sf is the maximum allowable floor area.

As per a discussion with Brian Holmes, our proposed floor area (547sf) would be measured to the the outside face of the proposed new interior walls (or the inside face of the existing walls).

*Total floor area of existing building: 805 sf	*Total floor area proposed: 547 sf
*Building coverage existing: 637 sf	*Building coverage proposed: 637 sf
*Building height existing: +/- 19'-0"	*Building height proposed: +/- 19'-0"

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

- ◆ **Name of Owner:** Alex and Grant Besser
- Address: 1109 Pine Street Telephone: 303-954-8814
- City: Boulder State: CO Zip Code: 80304 FAX: _____
- ◆ **Name of Contact (if other than owner):** Lisa Egger
- Address: 2455 10th Street Telephone: 303-449-4090 0490
- City: Boulder State: CO Zip Code: 80304 FAX: _____

STAFF USE ONLY

Doc. No. B022013-00011 Date Filed 10/16 Zone RMX-1 Hearing Date _____
 Application received by: Meg Date Fee Paid 10/16 Misc. Rect # _____

APPLICATION TYPES

Setback Variance

Sign Variance

Mobile Home Spacing Variance

X floor area 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 Wm Egger Date 10/16/13

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, Lisa Egger, 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) Alex and Grant Besser for property located
(PRINT NAME OF OWNER(S) IF OTHER THAN APPLICANT/CONTACT)
at 1109 Pine Street. I have read the city's sign posting requirements above and acknowledge and
(PRINT PROPERTY ADDRESS OR LOCATION)
agree to the following:

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


NAME OF APPLICANT OR CONTACT PERSON

10/16/13
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.

Alexandra Besser <besserx5@gmail.com>
To: Lisa Egger <le@lisaegger.com>
Cc: Alexandra Besser <besserx5@gmail.com>
BOZA application (release of signature)

October 16, 2013 12:03 PM

To Whom It May Concern,

Lisa Egger is submitting a BOZA Variance Application on our behalf for our property located at 1109 Pine Street.

Please accept this email as acceptance of Ms. Egger filing on behalf of Alexandra & Grant Besser.

Sincerely,

Alexandra & Grant Besser

Written Statement Addressing Criteria for Variances

Owners:

Alex and Grant Besser
1109 Pine Street

November 8, 2013

Alex and Grant Besser (the “Applicants”) are requesting a floor area variance for a detached Owner’s Accessory Unit. The Applicants are proposing to convert an existing historic, 2-story, 805sf garage in the Mapleton Hill Historic District to a 1-story, 637sf Owner’s Accessory Unit. The maximum allowable floor area for a detached OAU is 450sf. Limiting the proposed OAU to one level, as well as adding concrete block walls for structural purposes and wood frame walls for insulation inside the existing unreinforced masonry walls, reduces our total proposed, useable floor area to 494sf when floor area is measured to the inside face of the new, interior walls. The floor area measured to the inside face of the existing walls is 547sf.

This proposed floor area variance meets the criteria of Section 9-2-3(h) of the 1981 Boulder Revised Code which states as follows:

(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 or exception topographical or other physical conditions peculiar to the affected property;*

(B) *The unusual circumstances or conditions do not exist throughout the or the 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 the chapter; and*

(D) *Any unnecessary hardship has not been created by the applicant.*

(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 and, 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 the 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.

The unique physical circumstances for this application are due to the Applicant's request to repurpose an existing, historic building with a fixed amount of square footage and building coverage. While an OAU is an allowed use in the RMX zoning district, there are many other criteria that must be met; therefore it's a unique opportunity that does not exist for all properties throughout the zone. Because the property is located in the Mapleton Hill Historic District and the garage is a contributing building, any physical change to the exterior of the building must be approved by the Landmarks Design Review Committee. Reducing the size of the building by moving or changing any exterior walls is not an option. The street facing elevation/wall is generally sacred and rarely allowed to be altered. In addition, two of the three remaining exterior walls are buried in the hillside and serve as retaining walls. Moving or changing walls to reduce the building's floor area would generate unnecessary building waste in terms of deconstruction and reconstruction. Carving out interior space that is only accessible from the exterior just to reduce the interior square footage and meet a maximum floor area intended for new construction of Owner's Accessory Units is impractical and seems circuitous. This hardship was not created by the Applicant as the existing garage is almost 100 years old.

The Applicant's proposal also meets criteria (5) which requires that the variance, if granted:

- (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.*

The Applicant's proposed floor area variance request meets criteria (5) as follows:

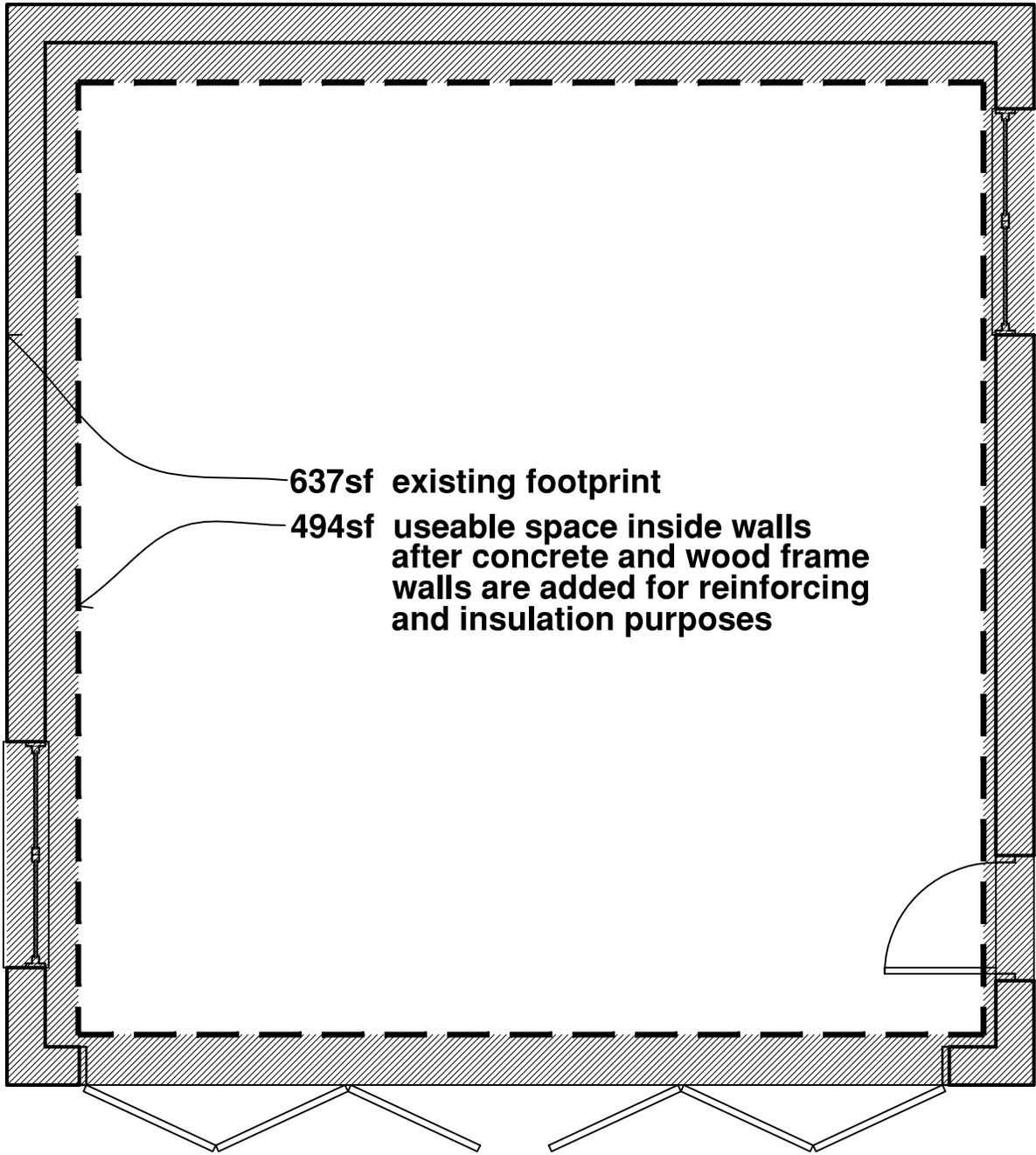
(A) The proposed floor area variance would not alter the essential character of the neighborhood or district as there would be no visible change to the footprint, floor area, or building coverage on the property.

(B) The proposed floor area variance would not impair the reasonable use and enjoyment or development of adjacent properties. Again, there would be no visible change to the footprint, floor area or building coverage of the proposed OAU. The addition of a dormer and skylights has been approved by the Landmarks Design Review committee and is outside the scope of this variance request.

(C) The proposal is the minimum variance that would afford relief. The Applicants are asking to repurpose an existing, historic building with a fixed amount of floor area (637sf) which happens to be more than the allowable maximum for an OAU. The new concrete and wood frame walls that will be built within the existing 11" non-reinforced masonry walls will increase the overall wall thickness by an additional 3.5" to 11.5". These new walls, together with the existing walls, reduce the floor area by 143sf. To carve out additional square footage within the existing building to meet a threshold of 450sf that was intended to limit the mass and scale of a newly constructed Owner Accessory Unit is counter intuitive and affects no one other than the residents of the OAU. This existing structure is in keeping with the size, scale and detail of the main house and meets the intent of the OAU guidelines to be accessory to the primary structure.

(D) Finally, the RMX-1 district has a 25' solar fence. The overall building height is under 20'. Given the orientation of the building and lot, any shadow cast by the garage and the proposed dormer would be under the solar fence and on the Applicant's property.

In closing, we believe the proposed floor area variance request meets the criteria for variances per the Boulder Land Use Regulations as demonstrated above.

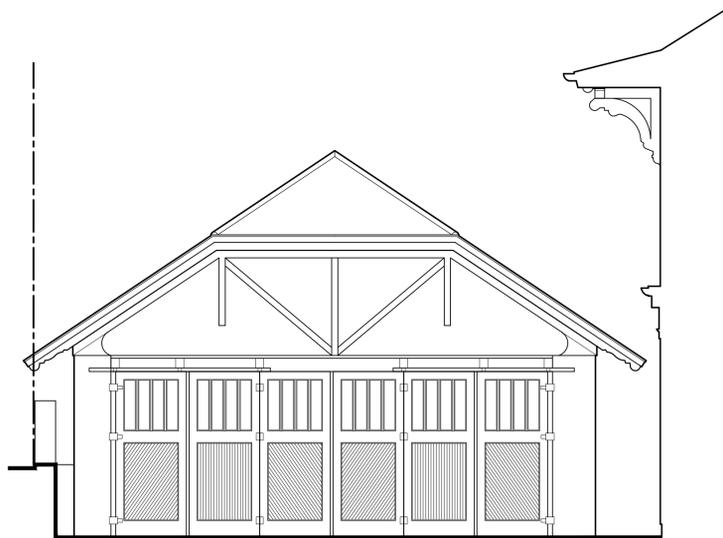


1109 PINE STREET - floor plan

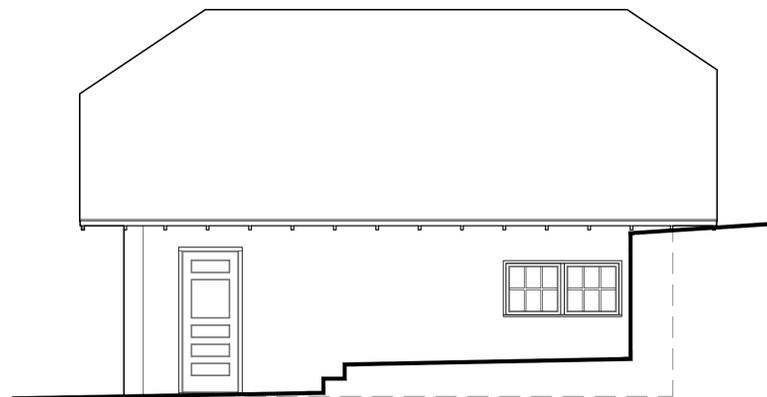
$\frac{1}{4}'' = 1'-0''$



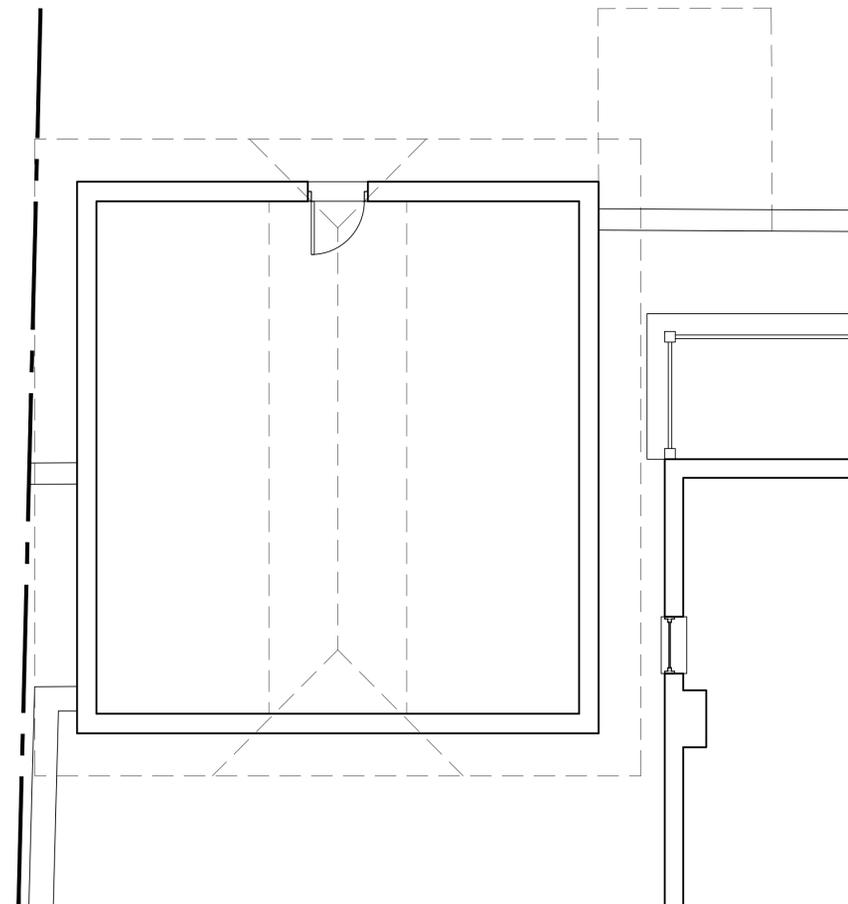
BESSER GARAGE REMODEL
1109 PINE STREET
BOULDER, CO 80302



1 SOUTH ELEVATION - (PINE STREET)
A1.1

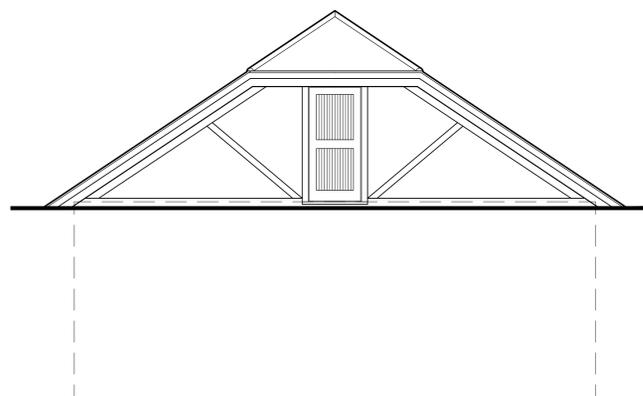


2 EAST ELEVATION
A1.1

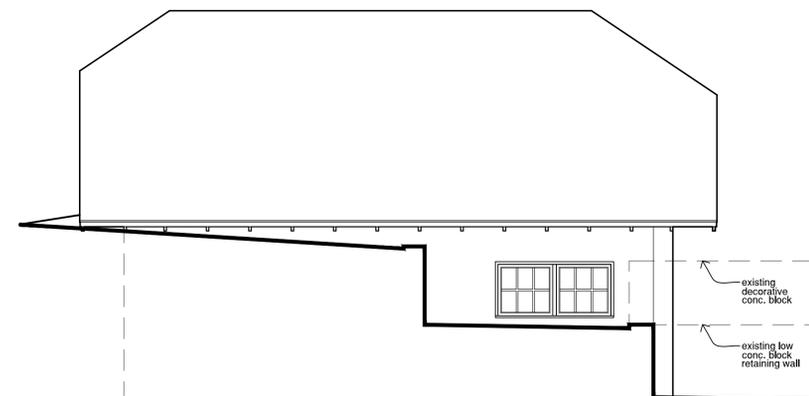


3 ATTIC LEVEL PLAN
A1.1

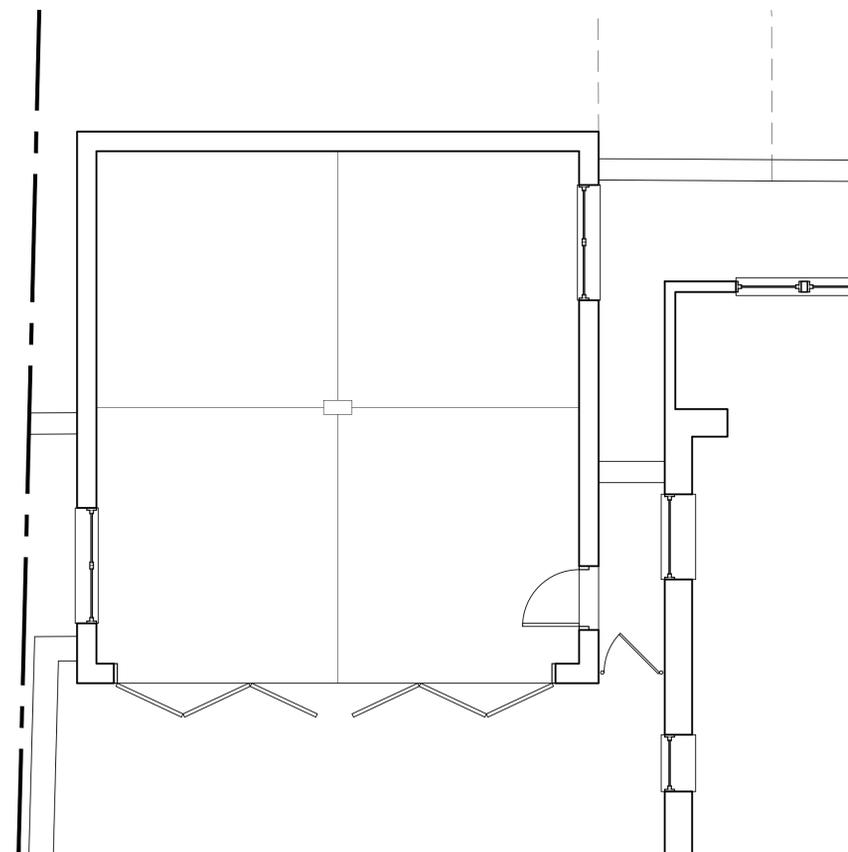
168 SF



4 NORTH ELEVATION
A1.1



5 WEST ELEVATION
A1.1



6 GARAGE LEVEL PLAN
A1.1

637 SF



Revisions
BOZA VARIANCE
APPLICATION 10/16/13

Drawings
AS-BUILT
FLOOR PLANS &
EXT. ELEVATIONS

Scale 1/4" = 1'-0" Date 11/8/13

Sheet

A1.1

BESSER GARAGE REMODEL
1109 PINE STREET
BOULDER, CO 80302

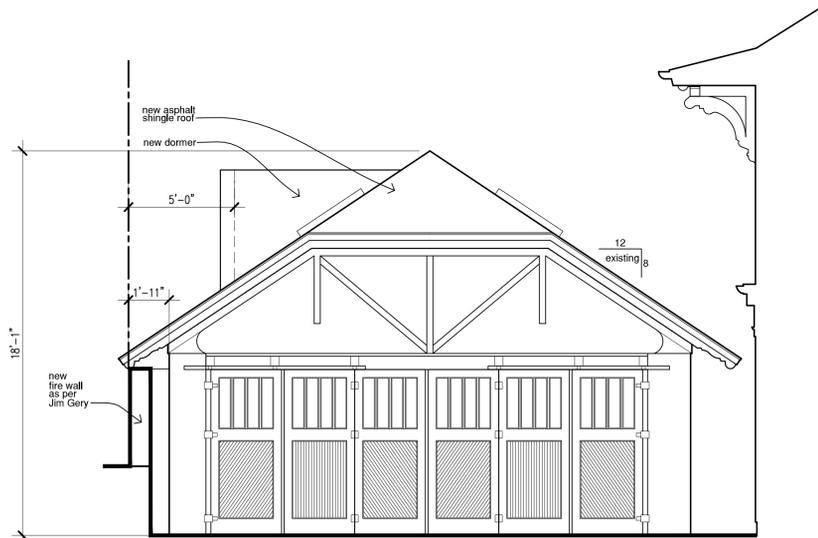
Revisions
BOZA VARIANCE
APPLICATION 10/16/13

Drawings
PROPOSED
FLOOR PLANS &
EXT. ELEVATIONS

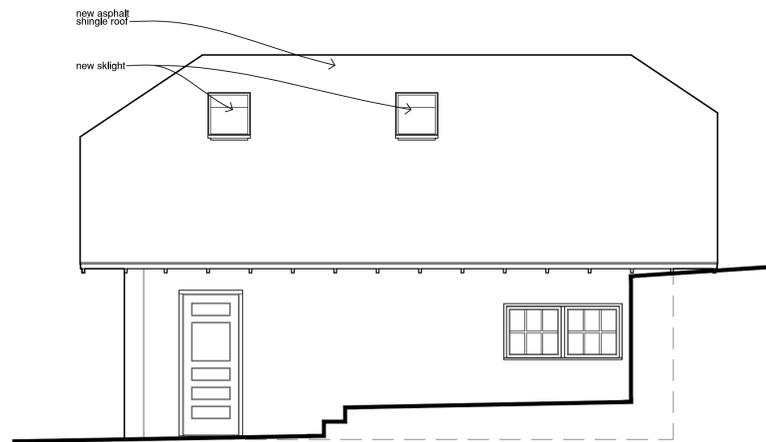
Scale Date
1/4" = 1'-0" 11/8/13

Sheet

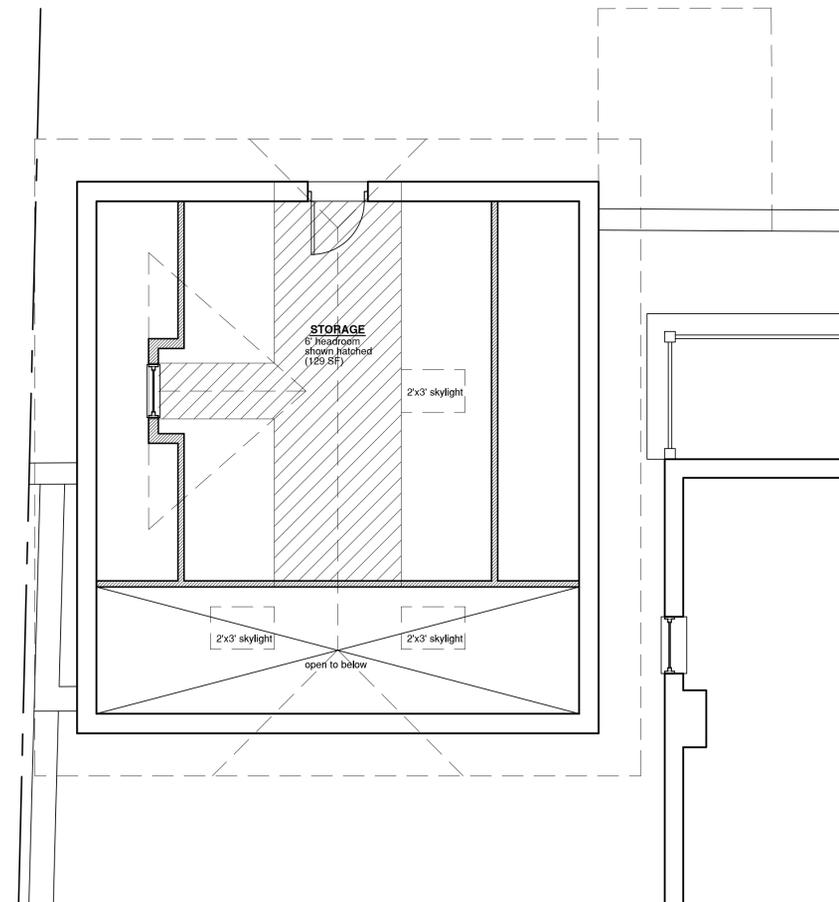
A2.1



1 SOUTH ELEVATION - (PINE STREET)

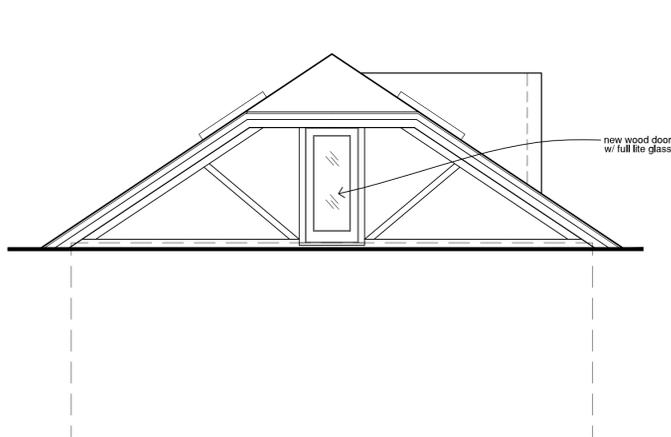


2 EAST ELEVATION

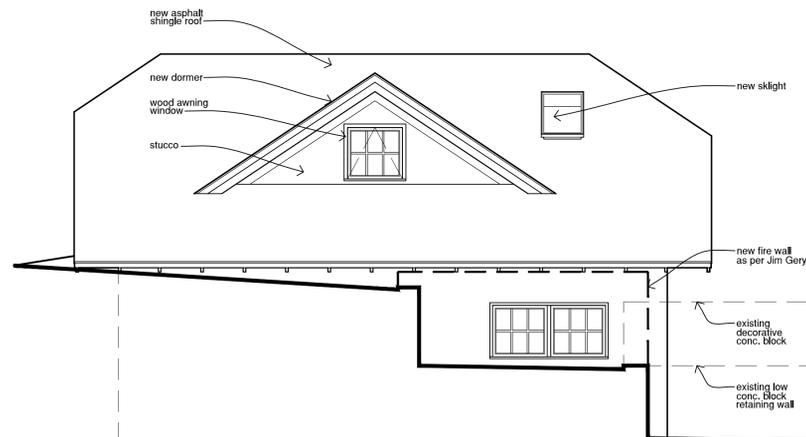


3 ATTIC LEVEL PLAN

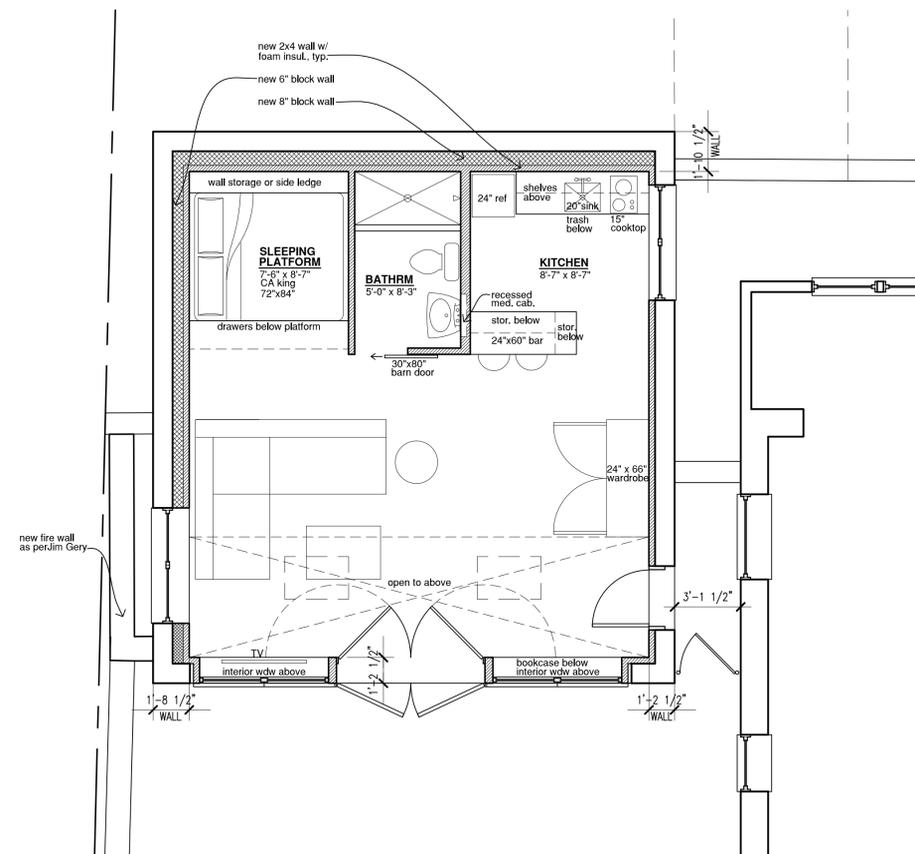
129 SF



4 NORTH ELEVATION



5 WEST ELEVATION



6 GARAGE LEVEL PLAN

547 SF W/IN
DASHED LINES



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: 1025 JUNIPER AVE
- Legal Description: Lot _____ Block _____ Subdivision TRACT 370-A (Or attach description.)
- Existing Use of Property: SINGLE FAMILY RESIDENCE
- Description of proposal:

RAISE THE ROOF OF AN EXISTING PORTION OF THE BUILDING TO MEET MIN HO HT OF 6'-8" THIS PORTION OF EXISTING STRUCTURE IS NOW CONFORMING TO CURRENT SETBACK REQUIREMENTS

*Total floor area of existing building: <u>2499</u>	*Total floor area proposed: <u>SAME</u>
*Building coverage existing: <u>2241</u>	*Building coverage proposed: <u>SAME</u>
*Building height existing: <u>21'-0"</u>	*Building height proposed: <u>SAME</u>

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

- ◆ Name of Owner: LANNING SCHLUER
- Address: 1025 JUNIPER AVE Telephone: 303-819-4208
- City: BOULDER State: CO Zip Code: 80304 FAX: _____
- ◆ Name of Contact (if other than owner): KENNETH JACQUES (ARCHITECT)
- Address: 128 KATE LAKE Telephone: 303-642-2320
- City: GOLDEN State: CO Zip Code: 80403 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

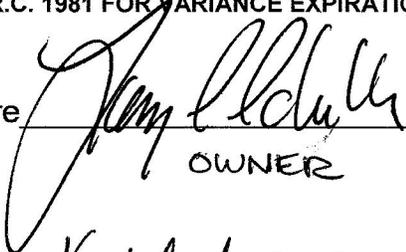
As a minimum, the following items **MUST** be attached and hereby made a part of this application:

- 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.

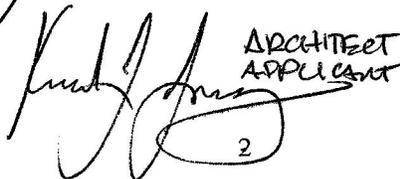
NOTE: The applicant is responsible for posting the property in compliance with city requirements. Signs will be provided to the applicant at the time of submission of the application. The applicant will submit a posting affidavit within 10 days of the date of application. Failure to submit the affidavit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

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

Applicant / Owner Signature


OWNER

Date 10-26-13


ARCHITECT
APPLICANT
2

11-18-13

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, KENNETH J. JACQUES, 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)] LANNING SCHILKER for property located
(PRINT NAME OF OWNER(S) IF OTHER THAN APPLICANT/CONTACT)
at 1025 JUNIPER 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.

Kenneth J. Jacques
ARCHITECT
KENNETH JACQUES
NAME OF APPLICANT OR CONTACT PERSON

11-18-13
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.

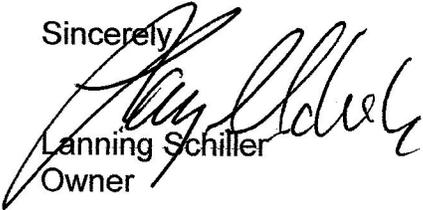
October 26, 2013

City of Boulder
Land Use Department
1739 Broadway
Boulder Colorado, 80302
RE: 1025 Juniper Avenue

To Whom it May Concern,

I have authorized my architect, Kenneth J. Jacques of Jacques of Jacques Architectural Services to act on my behalf for the building permit application and for the BOZA variance application and any other documentation required for the proposed remodel and addition to my property located at 1025 Juniper Avenue, Boulder Colorado.

Sincerely


Lanning Schiller
Owner

10-26-13
date

**Statement Addressing Criteria for Variances
1025 Juniper Avenue**

Introduction

The applicant wishes to raise the roof over a portion of an existing home to increase the interior ceiling height to meet current code. This 810 sq. ft. portion of the building was built in 1925 under Boulder County jurisdiction and became non-conforming with respect to rear and side setbacks when annexed to the City of Boulder. Zoned RR-2, The City of Boulder requires a 25' rear setback (existing is 6.7') and a min. side setback of 10' (existing is 3.0') The existing ceiling is vaulted, sloping from 5'-6" at the North to 8'-6" at the South. Over 40 % of the existing ceiling is lower than 6'-8". As a result the existing bathrooms and laundry are impractical, see Exhibit C: photos.

The applicant proposes raising the roof approx. 17" to achieve a minimum interior ceiling of 6'-8" and to replace the undersized rafters with 2x10's. (See Exhibit __, Site Plan Overview.) This proposed change to the roof meets all current land use requirements except the the existing footprint does not meet rear and side setbacks.

Independent of the work described above, the applicant will be applying for a building permit to repair flood damage and to make a 2 story addition to the existing property. The raising of the roof would be included in this work, pending approval of the variance. A copy of the full design is included so the project may be reviewed in total.

Criteria for Variances

This Variance Application (the "Application") for the Property meets the criteria for variances pursuant to Section 9-3.6-2(f) and 9-2-3(h) (as applicable), B.R.C. 1981 (the "Code"), specifically subsections (1) and (5):

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

The physical circumstances of the Property are unique in several respects. As a result of annexation and lot sub-dividing there are many odd shaped flag lots in the neighborhood. Several of these have existing structures which do not meet the current setback requirements, See Exhibit B: Juniper Neighborhood

The original 1 story part of the building at 1025 Juniper Ave was built in 1925 under Boulder County jurisdiction, was annexed into the the City of Boulder and was later sub-divided into two lots. These changes resulted in a portion of existing structure not meeting the setback requirements for RR-2 zoning. In 1981 a variance was granted (Docket 81-25) to allow the construction of a 2 story addition which connects to the

original structure. The majority of this addition meets current zoning requirements, except where it connects to the non-conforming structure.

This part of the building is currently used as a bedroom wing, including 2 baths and a small laundry. The ceiling in the existing baths and laundry is less than the min. code requirement of 6'-8". The existing 2x6 roof framing in this area is undersized for the span. By replacing the existing roof with 2x10 rafters and raising the ceiling ht. to a min. of 6'-8" the structure can be upgraded to meet the current code with a minimum impact to the neighborhood. The impact of the proposed change is also mitigated by an existing wood fence along the property line. This fence varies in ht from 3' to 7' and runs the full length of the North and East property lines.

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

The flag shaped lot and existing setbacks are the result of a history unique to the property and do not exist elsewhere.

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

In the existing bedroom wing, over 40% of the ceiling is less than 6'-8". As a result this area cannot be remodeled to meet current building code for habitable space without changing the roof line.

(1)(D) *The unnecessary hardship was not created by the applicant.*

This hardship arises as a result of a change in jurisdiction and lot subdivision that occurred prior to the applicant purchasing the property

(5)(A) *The variance if granted would not alter the essential character of the neighborhood or district in which the lot is located.*

Raising the existing roof approx. 17" would not alter the character of the house or the neighborhood.

(5)(B) *The variance would not substantially or permanently impair the reasonable use and enjoyment or development of adjacent property.*

The existing property is surrounded by mature trees and a 6 to 7 foot tall wood fence. These features screen the proposed change and help mitigate any impact to the neighborhood.

(5)(C) *The variance if granted would be the minimum variance that would afford relief and would be the least modification of the application provisions of this title.*

The proposed solution of raising the roof approximately 17” represents the minimum solution that allows for a code compliant interior ceiling and a rafter depth sufficient to span the building.

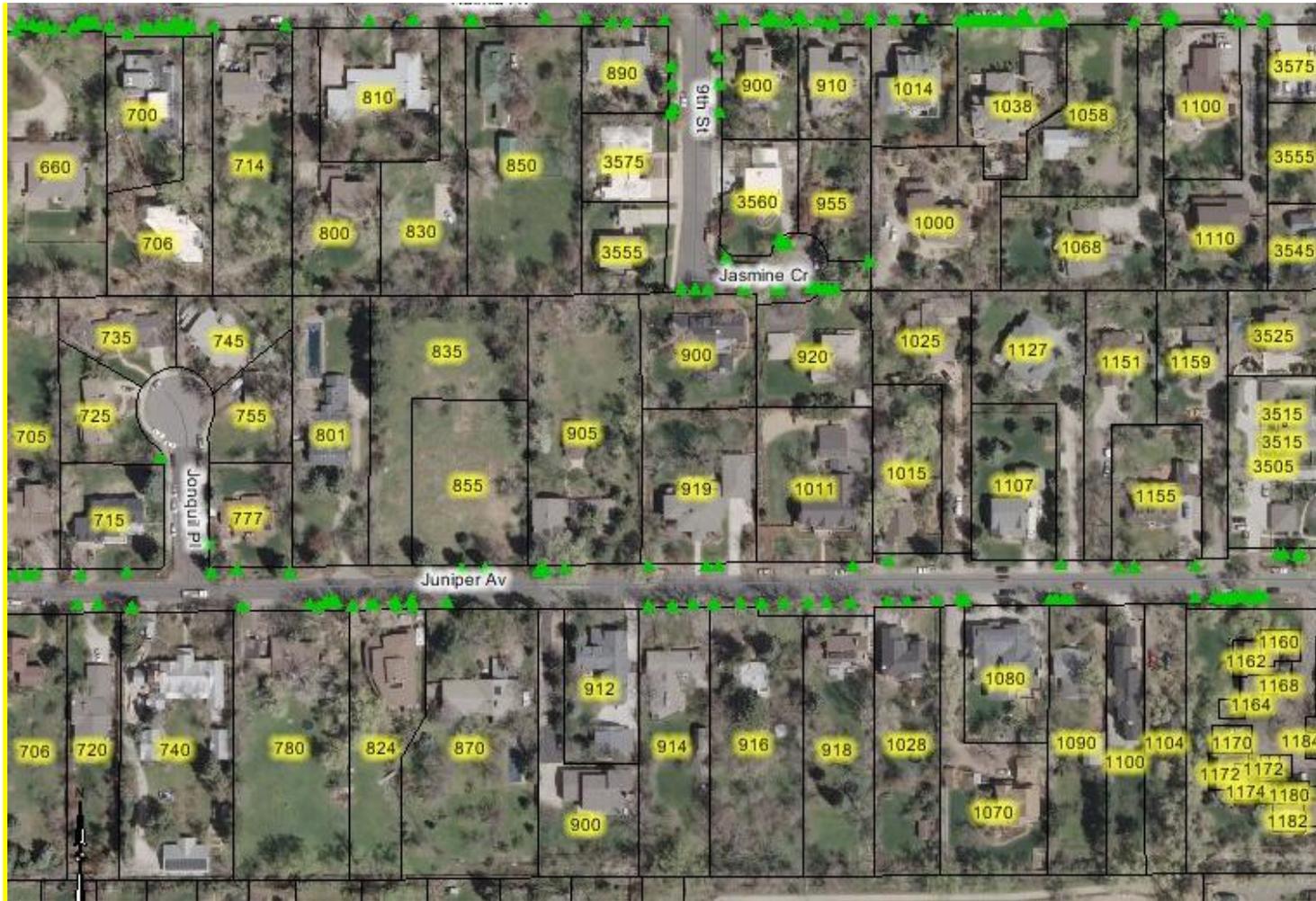
(5)(D) *Granting the variance would not conflict with the provisions of Chapter 9-8, “Solar Access,” B.R.C. 1981.*

The proposed change results in a total building ht of 11’-6” and therefore would not interfere with the 12’ ‘solar fence’ required for solar access zone I.

Conclusion

The proposed addition is modest in nature and does not result in an increase in the non-conforming area. Granting of a variance pursuant to this Application would allow the homeowner to correct an existing head height problem and upgrade the roof framing to meet current code requirements. For the reasons cited above, we respectfully request Board approval of the Application based on the fact that applicant has met the criteria for variance as specified in the applicable Sections of the Code.

Exhibit B: 1025 Juniper Avenue and adjacent neighborhood



Other unusually shaped lots are common, for example...

- 835 Juniper Ave
- 900 Juniper Ave
- 1070 Juniper Ave
- 1127 Juniper Ave
- 1151 Juniper Ave
- 1159 Juniper Ave

Nearby lots that appear to have similar non-conforming setbacks

- 900 Juniper Ave (rear setback less than 25')
- 912 Juniper Ave (front setback less than 25')
- 919 Juniper Ave (side setback less than 10')
- 920 Jasmine Circle (accessory structure at lot corner)
- 1011 Juniper Ave (rear setback less than 25')
- 1127 Juniper Ave (front and rear setback less than 25')
- 1155 Juniper Ave (side setback less than 10')



Interior at existing bathroom: showing low head room



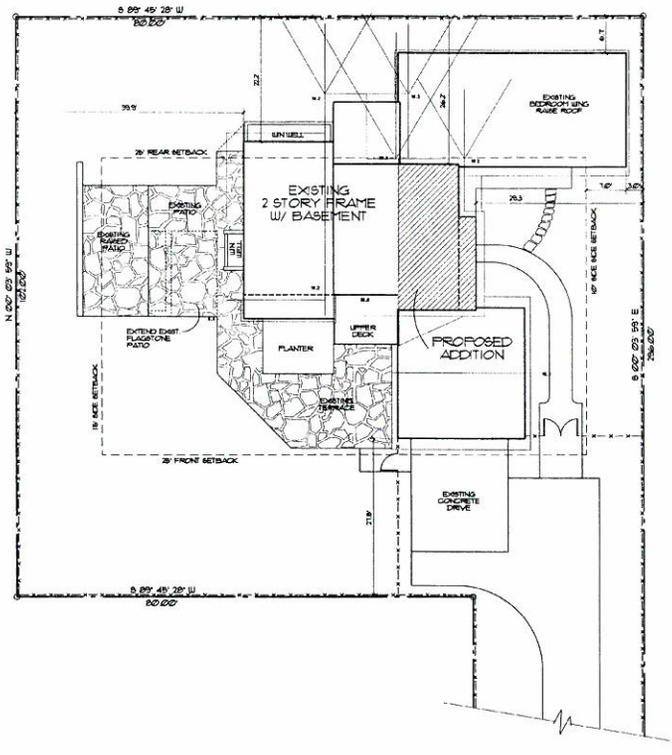
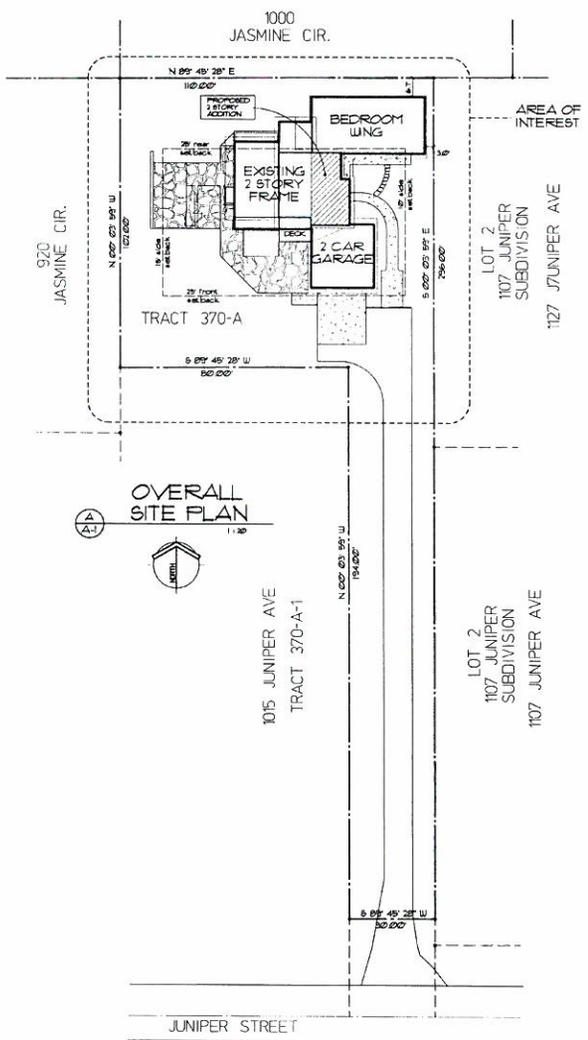
South Elevation



North elevation: Showing existing wood fence and existing trees at the rear property line. Note neighbors shed at left side of image is taller than proposed roof.



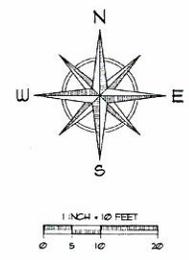
East elevation: Showing existing wire fence and mature trees at the East property line.



SOLAR SHADOW ANALYSIS

BLDG ELEMENT	HT. ABV. PLANT FLR.	HT. ABV. GRADE	GRADE # 12 FENCE			ADJ. HT. # FENCE			ADJ. SHADOW LENGTH		
			10:00	NOON	2:00	10:00	NOON	2:00	10:00	NOON	2:00
A											
B											
C											
D											
E											
F											
G											
H											
I											
J											
K											
L											
M											
N											
O											
P											
Q											
R											
S											
T											
U											
V											
W											
X											
Y											
Z											

CALCULATIONS BASED ON SOLAR ANALYSIS TABLE 1 METHOD USING BUILDING HEIGHTS ADJUSTED FOR SLOPE AND TRIGONOMETRIC CALCULATIONS OF SHADOW LENGTH.



OWNER
LANNING & SCHULER
1028 JUNIPER AVENUE
BOULDER, COLORADO 80504
303-442-4200

GENERAL CONTRACTOR
ELLINGWORTH BUILDERS, INC.
2402 JUNIPER COURT
BOULDER, COLORADO 80504
BOULDER 9000
CONTACT: JEFF ELLINGWORTH

ARCHITECT
JACOBS ARCHITECTURAL SERVICES
1030 KATE LANE
BOULDER, CO 80501
303-442-2200
CONTACT: KENNETH JACOBS

STRUCTURAL ENGINEER
PENDERGRAST & ASSOCIATES
100 SONG DRIVE
BOULDER, COLORADO 80501
303-441-1100
CONTACT: STEVE PENDERGRAST

ZONING
RR-2

REMARKS
REAR SETBACK 35.9'
FRONT SETBACK 25.3'
SIDE SETBACK 15.1'
REAR SETBACK 35.9'

MAX. BUILDING HT. 30'
LOT AREA 17,524 SQ. FT. @ 39 ACRES
SOLAR AREA 1 17 FENCE

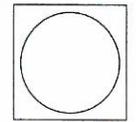
PROPERTY DESCRIPTION
A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 104, TOWNSHIP 11 NORTH, RANGE 71 OF THE 6 & 11, CITY OF BOULDER COUNTY, BOULDER STATE OF COLORADO
SEE I.B.P. SURVEY FOR FULL BOUNDARY DESCRIPTION
PROPERTY ADDRESS 1028 JUNIPER AVENUE, BOULDER, COLORADO
INFORMATION I.P. BASED ON I.P. BY PLATONICS SURVEYING INC. JOB N.P.T. 08-8629

EXISTING FLOOR AREA

EXISTING RESIDENCE	FINISHED	UNFINISHED	REMARKS
LOWER FLOOR	74 SQ. FT.	35 SQ. FT.	
MECH. ROOF			
MAIN FLOOR	400 SQ. FT.	400 SQ. FT.	
BASEMENT WING	400 SQ. FT.	400 SQ. FT.	
ATTACHED GARAGE	306 SQ. FT.	306 SQ. FT.	
UPPER FLOOR	328 SQ. FT.	794 SQ. FT.	
PROPOSED ADDITION	33 SQ. FT.	33 SQ. FT.	
SUB-TOTAL	1433 SQ. FT.	1568 SQ. FT.	
TOT. CONDITIONED FLOOR AREA	3001 SQ. FT.		
BLDG FOOTPRINT	324 SQ. FT.		

EXISTING FLOOR AREA

EXISTING RESIDENCE	FINISHED	UNFINISHED	REMARKS
LOWER FLOOR	62 SQ. FT.	139 SQ. FT.	
MECH. ROOF			
MAIN FLOOR	500 SQ. FT.	500 SQ. FT.	RAISE ROOF
BASEMENT WING	400 SQ. FT.	400 SQ. FT.	
ATTACHED GARAGE	306 SQ. FT.	306 SQ. FT.	UNDISTURBED
UPPER FLOOR	328 SQ. FT.	794 SQ. FT.	
PROPOSED ADDITION	33 SQ. FT.	33 SQ. FT.	
SUB-TOTAL	3224 SQ. FT.	6737 SQ. FT.	
TOT. CONDITIONED FLOOR AREA	3257 SQ. FT.		
BLDG FOOTPRINT	324 SQ. FT.		
TOTAL PROPOSED ADDITION	666 SQ. FT.		



KENNETH J. JACOBS
ARCHITECT
1030 KATE LANE
BOULDER, CO 80501
303-442-2200 (OFFICE)
303-442-0200 (F. MOBILE)

SCHILLER RESIDENCE
1028 JUNIPER AVENUE
CITY OF BOULDER, COLORADO

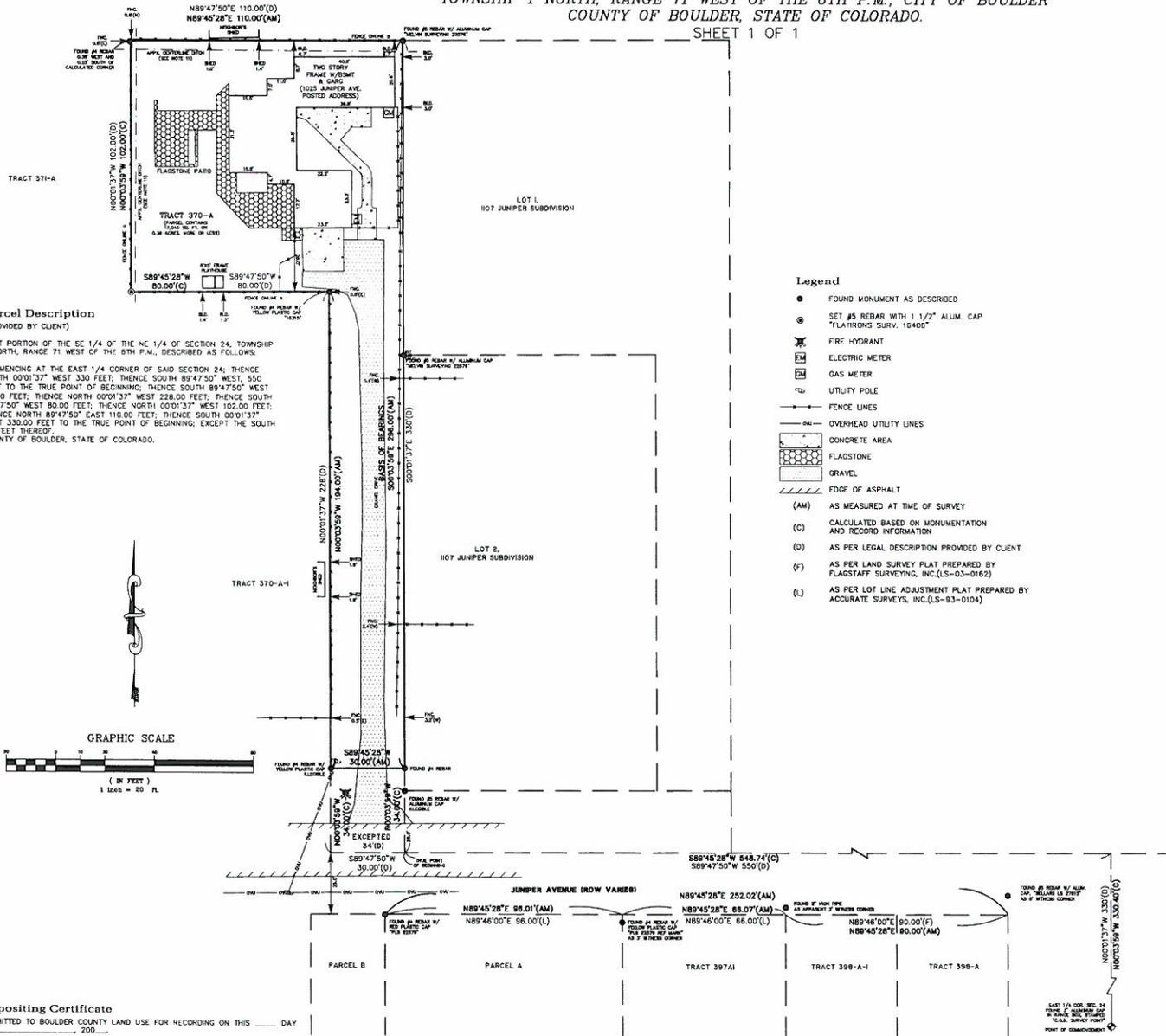
DRAWN: K.J.
DATE: 11-6-13
RD. NET:
PERMIT NET:
CONST. NET:
REVISIONS:

PRELIMINARY
A=1

IMPROVEMENT SURVEY PLAT

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 24,
TOWNSHIP 1 NORTH, RANGE 71 WEST OF THE 6TH P.M., CITY OF BOULDER,
COUNTY OF BOULDER, STATE OF COLORADO.

SHEET 1 OF 1



Parcel Description (PROVIDED BY CLIENT)

THAT PORTION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 71 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:
COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 24; THENCE NORTH 00°01'37" WEST 330 FEET; THENCE SOUTH 89°47'50" WEST, 550 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°47'50" WEST 30.00 FEET; THENCE NORTH 00°01'37" WEST 228.00 FEET; THENCE SOUTH 89°47'50" WEST 80.00 FEET; THENCE NORTH 00°01'37" WEST 102.00 FEET; THENCE NORTH 89°47'50" EAST 110.00 FEET; THENCE SOUTH 00°01'37" EAST 330.00 FEET TO THE TRUE POINT OF BEGINNING, EXCEPT THE SOUTH 34 FEET THEREOF, COUNTY OF BOULDER, STATE OF COLORADO.

Legend

- FOUND MONUMENT AS DESCRIBED
- ⊙ SET #5 REBAR WITH 1 1/2" ALUM. CAP "FLATRONS SURV. 1840S"
- ⊕ FIRE HYDRANT
- ⊖ ELECTRIC METER
- ⊖ GAS METER
- ⊖ UTILITY POLE
- FENCE LINES
- OVERHEAD UTILITY LINES
- CONCRETE AREA
- FLAGSTONE
- GRAVEL
- EDGE OF ASPHALT
- (AM) AS MEASURED AT TIME OF SURVEY
- (C) CALCULATED BASED ON MONUMENTATION AND RECORD INFORMATION
- (D) AS PER LEGAL DESCRIPTION PROVIDED BY CLIENT
- (F) AS PER LAND SURVEY PLAT PREPARED BY FLAGSTAFF SURVEYING, INC.(LS-03-0162)
- (L) AS PER LOT LINE ADJUSTMENT PLAT PREPARED BY ACCURATE SURVEYS, INC.(LS-93-0104)

Notes

- 1) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT AND DOES NOT CONSTITUTE A TITLE SEARCH BY FLATRONS, INC. TO DETERMINE TITLE OR EASEMENTS OF RECORD. THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS; AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- 2) ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT, IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- 3) THIS IMPROVEMENT SURVEY PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF LANNING SCHILLER, NAMED IN THE STATEMENT HEREON. SAID STATEMENT DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS STATEMENT BY THE SURVEYOR NAMING SAID PERSON.
- 4) THIS SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
- 5) BASIS OF BEARINGS: AN ASSUMED BEARING OF NORTH 00°03'59" EAST ALONG THE EAST LINE OF SUBJECT PROPERTY BETWEEN TWO FOUND MONUMENTS AS SHOWN AND DESCRIBED HEREON, WITH ALL BEARINGS HEREIN BEING RELATIVE THERETO.
- 6) ONLY SURFACE EVIDENCE OF UTILITIES VISIBLE AT THE TIME OF THE FIELD WORK IS SHOWN HEREON. ALL UNDERGROUND UTILITIES MUST BE FIELD LOCATED BY THE APPROPRIATE AGENCY OR UTILITY COMPANY PRIOR TO ANY EXCAVATION, PURSUANT TO C.R.S. SEC. 9-1-5-103.
- 7) ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACTS ANY PUBLIC LAND SURVEY MONUMENT AND/OR BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE, C.R.S. SEC. 18-6-508.
- 8) BUILDINGS AND OTHER IMPROVEMENTS OR STRUCTURES ON ADJACENT PROPERTIES THAT ARE MORE THAN FIVE (5) FEET FROM ANY OF THE PROPERTY LINES OF THE SUBJECT PROPERTY ARE NOT NECESSARILY SHOWN.
- 9) DATES OF FIELDWORK: OCTOBER 16 & 29, 2008.
- 10) FENCES ARE NOT CONCORDANT WITH LOT LINES AS SHOWN HEREON.
- 11) DITCHES CROSS SUBJECT PROPERTY ON THE NORTH AND WEST AS SHOWN HEREON.
- 12) BOUNDARY DEPICTED HEREON IS BASED ON LOCAL CONTROL AND ADJOINING SUBDIVISIONS.

Boundary Closure Report

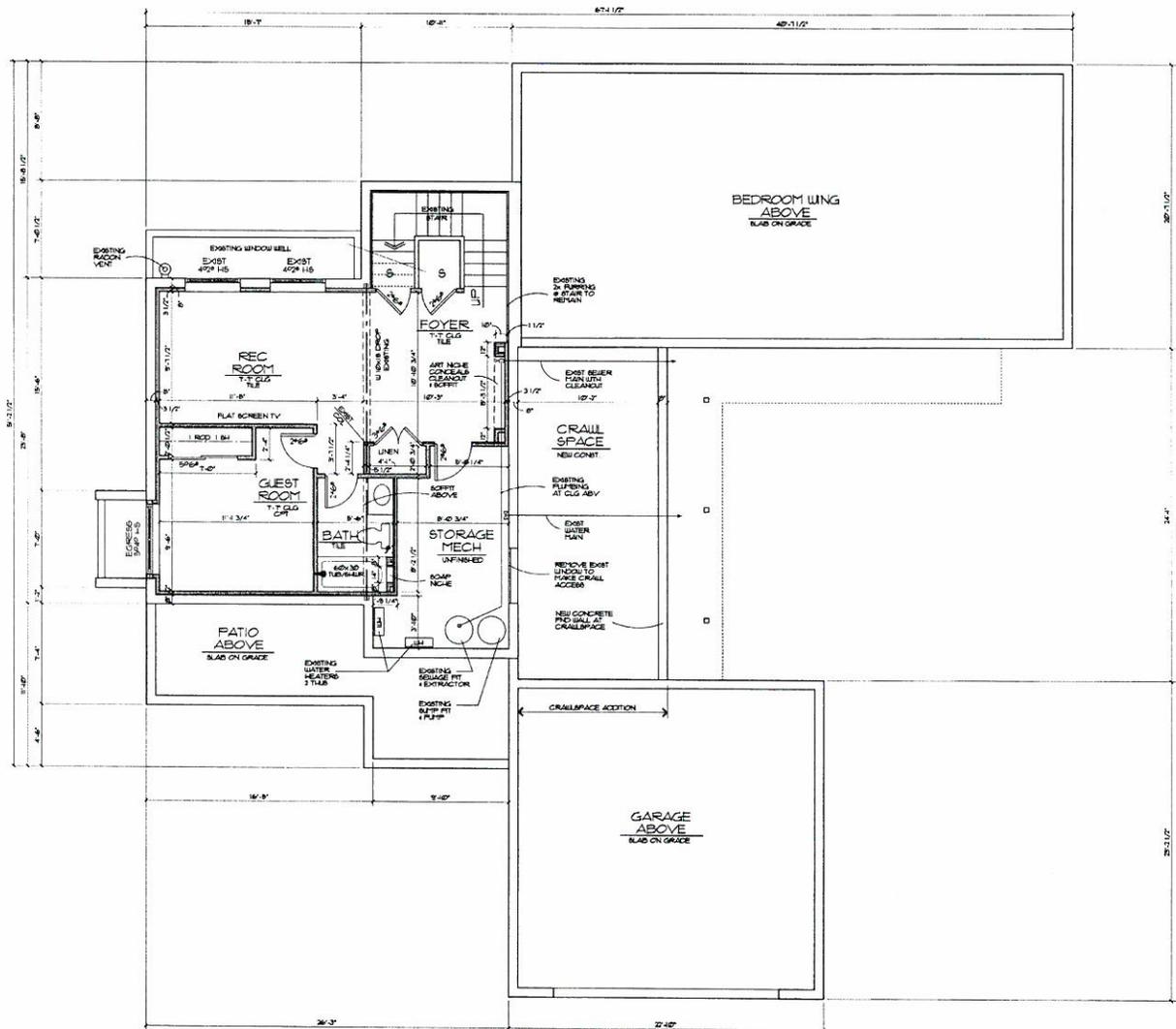
PARCEL BOUNDARY
 Courses: S 89-45-28 W Distance: 110.00
 Courses: S 00-03-59 E Distance: 102.00
 Courses: N 89-45-28 E Distance: 80.00
 Courses: S 00-03-59 E Distance: 184.00
 Courses: N 89-45-28 C Distance: 30.00
 Courses: N 00-03-59 W Distance: 298.00
 Perimeter: 812.00
 Area: 17039.91
 Hectare Closure = (Area listed courses + 0.000 Data)
 Error of Closure: 0.000
 Error of Closure: 0.000
 Precision 1: 81200000.00

Surveyor's Statement

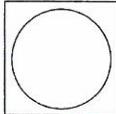
I, JOHN B. GUYTON, A DULY REGISTERED LAND SURVEYOR, LICENSED IN THE STATE OF COLORADO, HEREBY STATE FOR AND ON BEHALF OF FLATRONS, INC., TO LANNING SCHILLER, THAT A SURVEY OF THE ABOVE DESCRIBED PREMISES WAS CONDUCTED BY ME OR UNDER MY RESPONSIBLE CHARGE ON OCTOBER 16, 2008; THAT SAID SURVEY AND THE ATTACHED PRINT HEREON WERE MADE IN SUBSTANTIAL ACCORDANCE WITH C.R.S. 38-51-102 (9), "IMPROVEMENT SURVEY PLAT".

JOHN B. GUYTON COLORADO P.L.S. #18406 CHAIRMAN & CEO, FLATRONS, INC.	DATE: FS# JOB NO. 08-55-291
IMPROVEMENT SURVEY PLAT PREPARED FOR Lanning Schiller	
SHEET 1 OF 1 Flatrons, Inc. Surveying, Engineering & Geomatics	
DRAWN BY: BLSWET DATE: NOVEMBER 3, 2008 FS# JOB NO. 08-55-291	455 FIFTH AVENUE LEWISTOWN, CO 80202 PH: (303) 443-7000 FAX: (303) 443-9830 www.flatrons.com
INT: DATE: REVISIONS: CHECKED BY: WJG/SKW	COPYRIGHT 2008 FLATRONS, INC.

Depositing Certificate
 SUBMITTED TO BOULDER COUNTY LAND USE FOR RECORDING ON THIS ____ DAY
 OF _____ 200__.



PROPOSED LOWER FLOOR
1/4" = 1'-0"



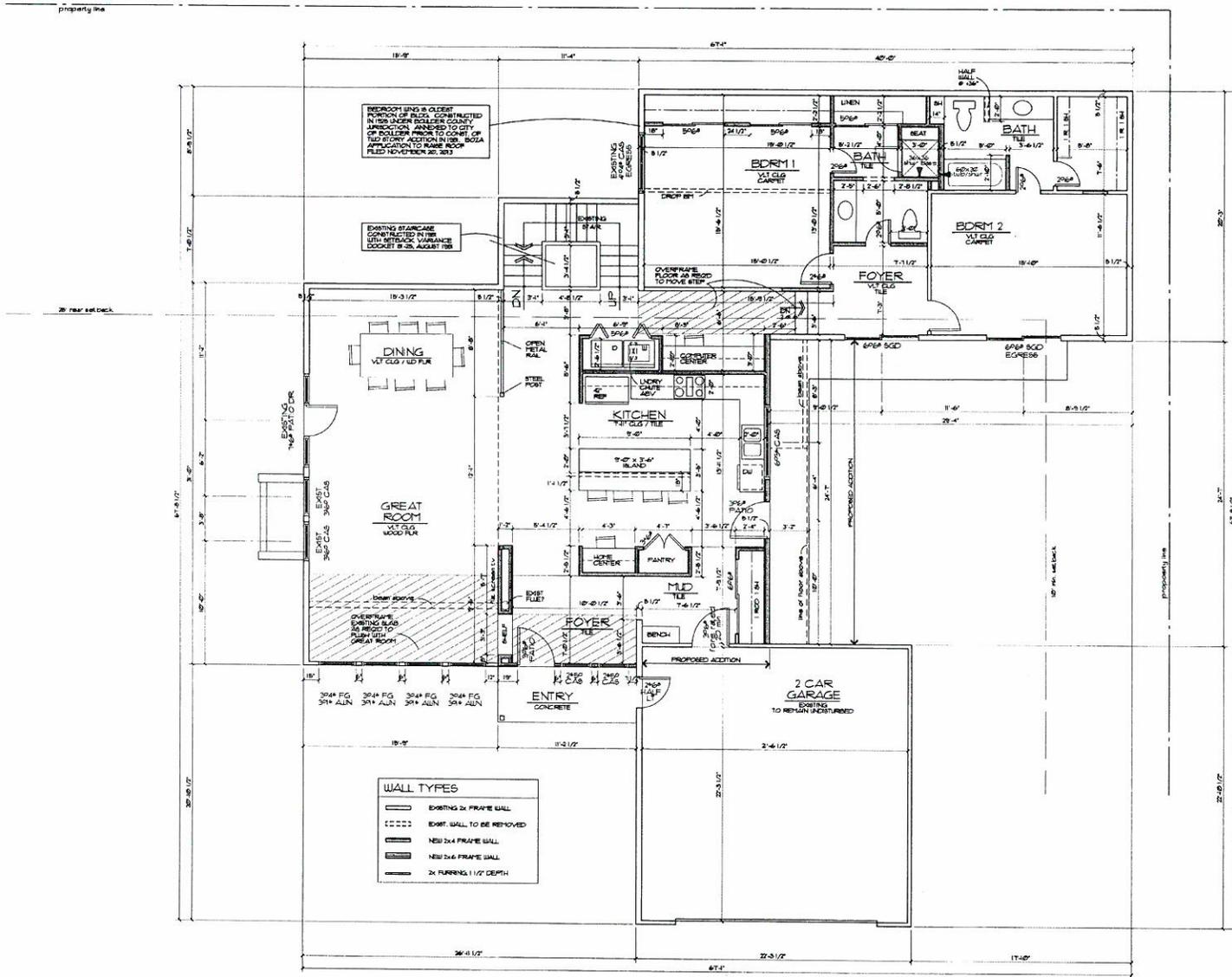
KENNETH J. JACQUES
ARCHITECT
108 KATE LANE
BOULDER, CO 80501
303-442-2322 / 307624 /
303-442-2715 (mobile)

SCHILLER RESIDENCE
10225 JUNIFER AVENUE
CITY OF BOULDER, COLORADO

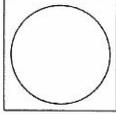
DRAWN	KJ
DATE	11-6-13
DO SET	
PERMIT SET	
CONST. SET	
REVISIONS	

PRELIMINARY





PROPOSED MAIN FLOOR PLAN
20' 00 FT ADDITION

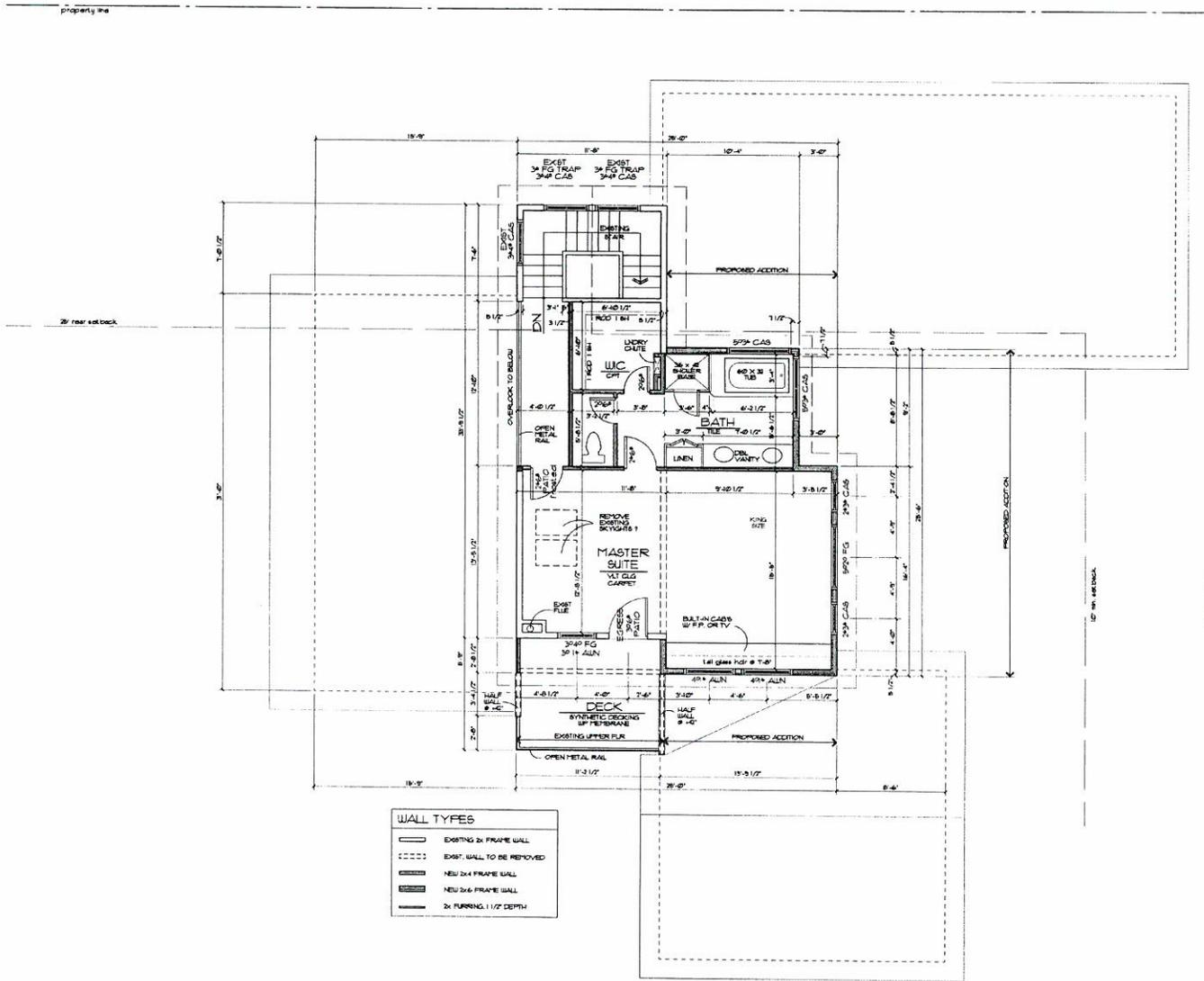


KENNETH JACQUES
ARCHITECT
28 KATE LANE
303-442-2222 (OFFICE)
303-442-2215 (MOBILE)

SCHILLER RESIDENCE
10225 JUNIFER AVENUE
CITY OF BOULDER, COLORADO

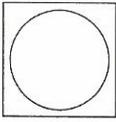
DRAWN	CU
DATE	11-6-13
3RD SET	
PERM. SET	
CONST. SET	
REVISION	





WALL TYPES	
	EXISTING 2x FRAME WALL
	EXIST. WALL TO BE REMOVED
	NEW 2x4 FRAME WALL
	NEW 2x6 FRAME WALL
	2x FURRING 1 1/2\"/>

PROPOSED UPPER FLOOR PLAN

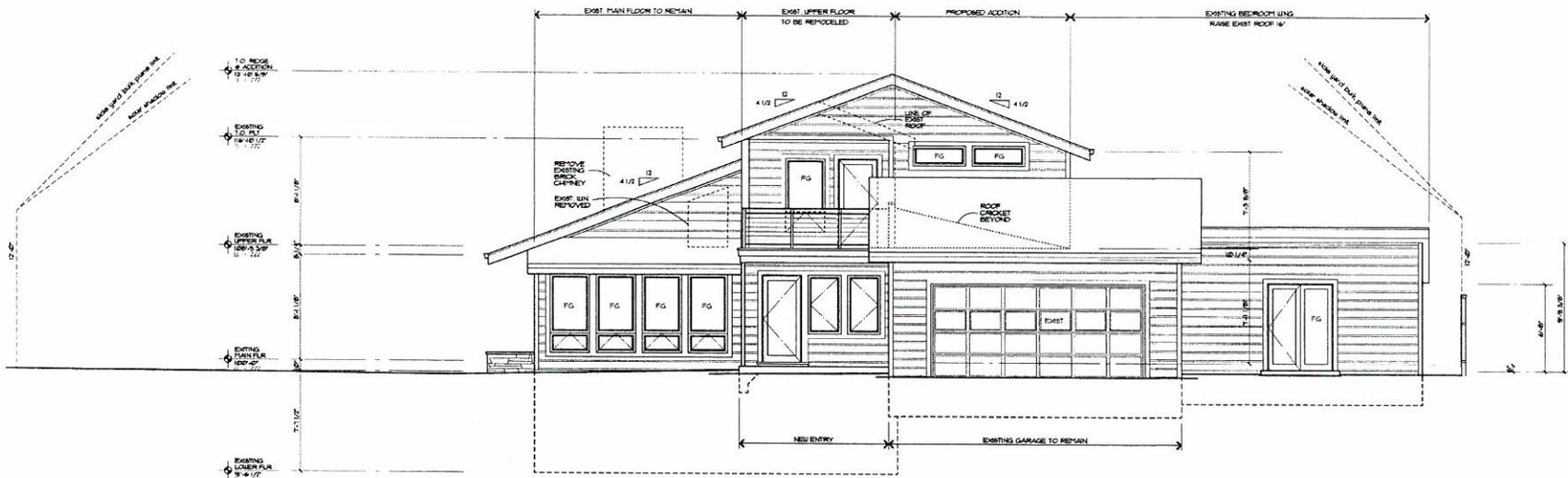


KENNETH JACQUES
ARCHITECT
28 KATE LANE
303-442-2262 (OFFICE)
303-442-0718 (PHONE)

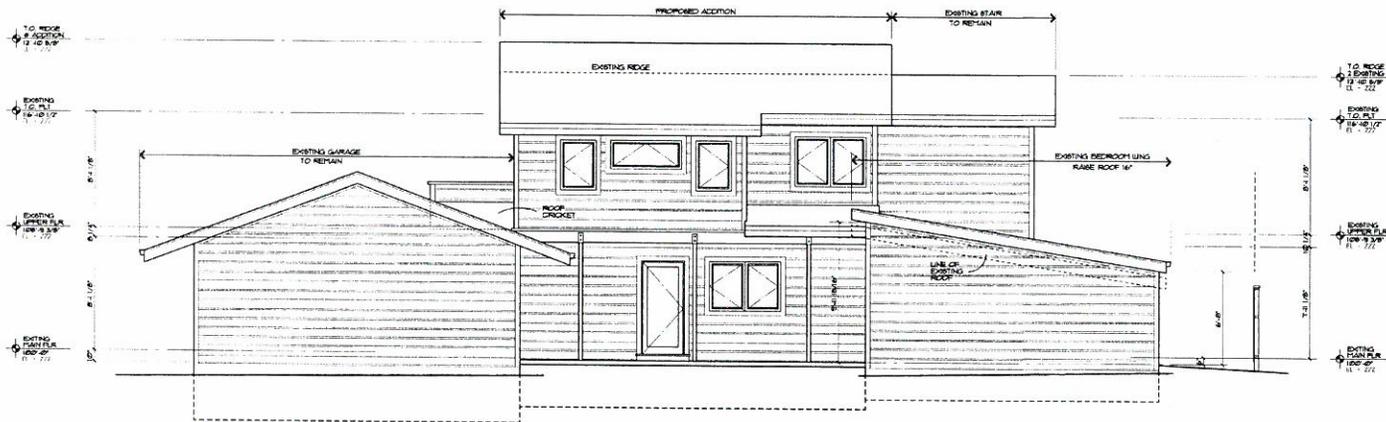
SCHILLER RESIDENCE
10225 JUNIPER AVENUE
CITY OF BOULDER, COLORADO

DRAWN:	KJ
DATE:	11-6-13
FRONT MET:	
CONST. MET:	
REVISIONS:	

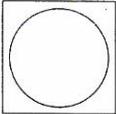
PRELIMINARY
A-4



(A) SOUTH ELEVATION



(B) EAST ELEVATION

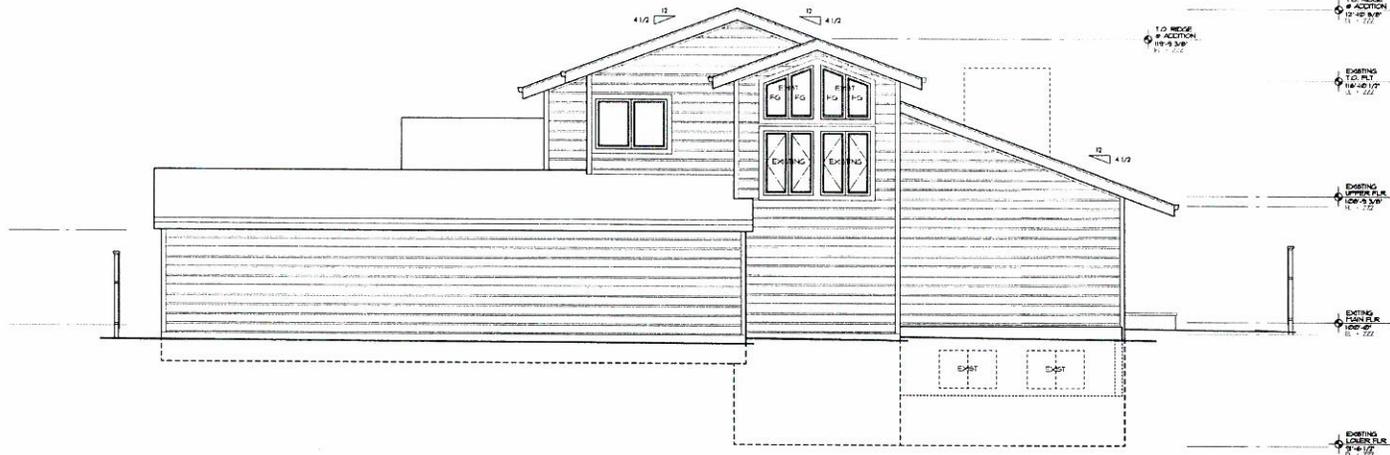


KENNETH J. JACQUES
ARCHITECT
18 KATE LANE
302-447-2307 / OFFICE /
303-442-0215 / MOBILE /

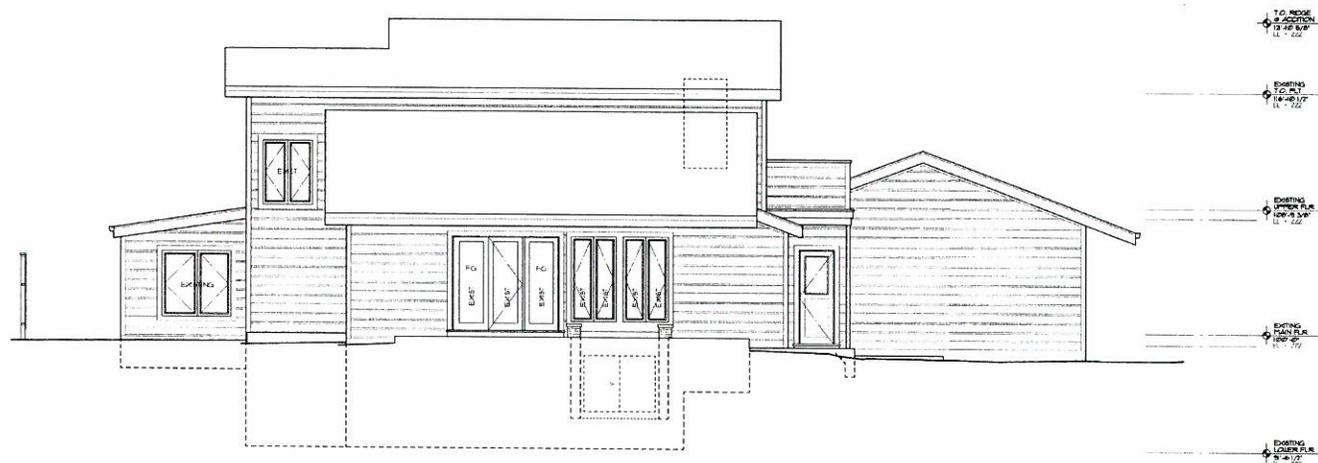
SCHILLER RESIDENCE
1025 JUNIFER AVENUE
CITY OF BOULDER, COLORADO

DRAWN	KU
DATE	11-8-13
PRO SET	
PERMIT SET	
CONST. SET	
REVISIONS	

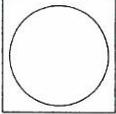




A NORTH ELEVATION



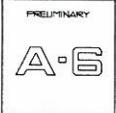
B WEST ELEVATION



KENNETH J. JACQUES
ARCHITECT
28 LATE LAKE
307-547-2207 (office)
720-440-0285 (mobile)

SCHILLER RESIDENCE
10225 JUNIFER AVENUE
CITY OF BOULDER, COLORADO

DRAWN:	KJJ
DATE:	11-01-13
RD SET:	
PERMIT SET:	
CONST. SET:	
REVISIONS:	



Legal Description:

That portion of the SE⁴ of the NE⁴ of Section 24, Township 1 North, Range 71 West of the 6th P.M., described as follows:

Commencing at the East 1/4 corner of said Section 24, Thence N 0° 01' 37" W. 330 feet; thence S. 89° 47' 50" W. 550 feet to the TRUE POINT OF BEGINNING; thence S. 89° 47' 50" W. 30.00 feet; thence N. 0° 01' 37" W. 228.00 feet; thence S. 89° 47' 50" W. 80.00 feet; thence N. 0° 01' 37" W., 102.00 feet; thence N. 89° 47' 50" E. 110 feet; thence S. 0° 01' 37" E. 330.00 feet to the TRUE POINT OF BEGINNING; EXCEPT the South 34.00 feet thereof.
County of Boulder, State of Colorado.

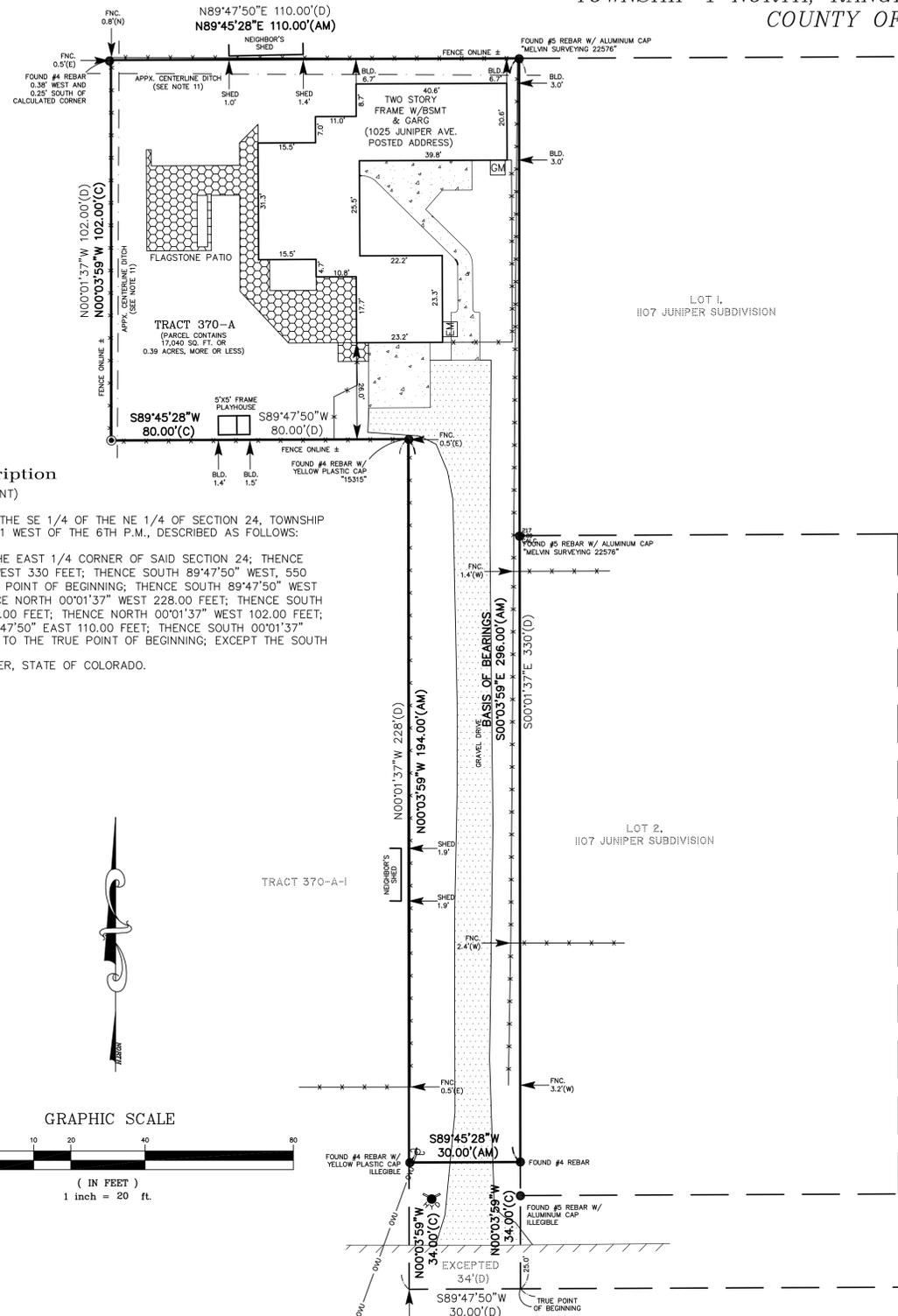
IMPROVEMENT SURVEY PLAT

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 24,
TOWNSHIP 1 NORTH, RANGE 71 WEST OF THE 6TH P.M., CITY OF BOULDER
COUNTY OF BOULDER, STATE OF COLORADO.

SHEET 1 OF 1

Notes

- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT AND DOES NOT CONSTITUTE A TITLE SEARCH BY FLATIRONS, INC. TO DETERMINE TITLE OR EASEMENTS OF RECORD. THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS; AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- THIS IMPROVEMENT SURVEY PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF LANNING SCHILLER, NAMED IN THE STATEMENT HEREON. SAID STATEMENT DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS STATEMENT BY THE SURVEYOR NAMING SAID PERSON.
- THIS SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
- BASIS OF BEARINGS: AN ASSUMED BEARING OF NORTH 00°03'59" EAST ALONG THE EAST LINE OF SUBJECT PROPERTY BETWEEN TWO FOUND MONUMENTS AS SHOWN AND DESCRIBED HEREON, WITH ALL BEARINGS HEREIN BEING RELATIVE THERETO.
- ONLY SURFACE EVIDENCE OF UTILITIES VISIBLE AT THE TIME OF THE FIELD WORK IS SHOWN HEREON. ALL UNDERGROUND UTILITIES MUST BE FIELD LOCATED BY THE APPROPRIATE AGENCY OR UTILITY COMPANY PRIOR TO ANY EXCAVATION, PURSUANT TO C.R.S. SEC. 9-1.5-103.
- ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACTS ANY PUBLIC LAND SURVEY MONUMENT AND/OR BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE C.R.S. SEC. 18-4-508.
- BUILDINGS AND OTHER IMPROVEMENTS OR STRUCTURES ON ADJACENT PROPERTIES THAT ARE MORE THAN FIVE (5) FEET FROM ANY OF THE PROPERTY LINES OF THE SUBJECT PROPERTY ARE NOT NECESSARILY SHOWN.
- DATES OF FIELDWORK: OCTOBER 16 & 29, 2008.
- FENCES ARE NOT COINCIDENT WITH LOT LINES AS SHOWN HEREON.
- DITCHES CROSS SUBJECT PROPERTY ON THE NORTH AND WEST AS SHOWN HEREON.
- BOUNDARY DEPICTED HEREON IS BASED ON LOCAL CONTROL AND ADJOINING SUBDIVISIONS.



Parcel Description

(PROVIDED BY CLIENT)

THAT PORTION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 71 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 24; THENCE NORTH 00°01'37" WEST 330 FEET; THENCE SOUTH 89°47'50" WEST, 550 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°47'50" WEST 30.00 FEET; THENCE NORTH 00°01'37" WEST 228.00 FEET; THENCE SOUTH 89°47'50" WEST 80.00 FEET; THENCE NORTH 00°01'37" WEST 102.00 FEET; THENCE NORTH 89°47'50" EAST 110.00 FEET; THENCE SOUTH 00°01'37" EAST 330.00 FEET TO THE TRUE POINT OF BEGINNING; EXCEPT THE SOUTH 34 FEET THEREOF. COUNTY OF BOULDER, STATE OF COLORADO.

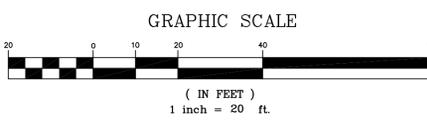
Legend

- FOUND MONUMENT AS DESCRIBED
- ⊙ SET #5 REBAR WITH 1 1/2" ALUM. CAP "FLATIRONS SURV. 16406"
- ⊕ FIRE HYDRANT
- EM ELECTRIC METER
- GM GAS METER
- UTILITY POLE
- FENCE LINES
- O.V.U. OVERHEAD UTILITY LINES
- CONCRETE AREA
- FLAGSTONE
- GRAVEL
- EDGE OF ASPHALT
- (AM) AS MEASURED AT TIME OF SURVEY
- (C) CALCULATED BASED ON MONUMENTATION AND RECORD INFORMATION
- (D) AS PER LEGAL DESCRIPTION PROVIDED BY CLIENT
- (F) AS PER LAND SURVEY PLAT PREPARED BY FLAGSTAFF SURVEYING, INC.(LS-03-0162)
- (L) AS PER LOT LINE ADJUSTMENT PLAT PREPARED BY ACCURATE SURVEYS, INC.(LS-93-0104)

Boundary Closure Report

PARCEL BOUNDARY

Course: S 89-45-28 W	Distance: 110.00
Course: S 00-03-59 E	Distance: 102.00
Course: N 89-45-28 E	Distance: 80.00
Course: S 00-03-59 E	Distance: 194.00
Course: N 89-45-28 E	Distance: 30.00
Course: N 00-03-59 W	Distance: 296.00
Perimeter: 812.00	
Area: 17039.91	0.39 acres
Mapcheck Closure - (Uses listed courses & COGO Units)	
Error of Closure: 0.000	Course: N 90-00-00 W
Precision: 1: 81200000.00	



Surveyor's Statement

I, JOHN B. GUYTON, A DULY REGISTERED LAND SURVEYOR, LICENSED IN THE STATE OF COLORADO, HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., TO LANNING SCHILLER, THAT A SURVEY OF THE ABOVE DESCRIBED PREMISES WAS CONDUCTED BY ME OR UNDER MY RESPONSIBLE CHARGE ON OCTOBER 16, 2008; THAT SAID SURVEY AND THE ATTACHED PRINT HEREON WERE MADE IN SUBSTANTIAL ACCORDANCE WITH C.R.S. 38-51-102 (9) "IMPROVEMENT SURVEY PLAT".

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

DATE
FSI JOB NO. 08-55,291

Depositing Certificate
SUBMITTED TO BOULDER COUNTY LAND USE FOR RECORDING ON THIS ____ DAY
OF _____, 200__.

IMPROVEMENT SURVEY PLAT PREPARED FOR Lanning Schiller SHEET 1 OF 1	
DRAWN BY: B.SWIFT	DATE: NOVEMBER 3, 2008
FSI JOB NO. 08-55,291	DATE: REVISIONS: CHECKED BY: NWJZG,KW

Flatirons, Inc.
Surveying, Engineering & Geomatics

3825 IRIS AVE, STE 100
BOULDER, CO 80501
PH: (303) 443-7001
FAX: (303) 443-9830

655 FOURTH AVENUE
LONGMONT, CO 80501
PH: (303) 776-1733
FAX: (303) 776-4355

www.FlatironsInc.com
COPYRIGHT 2008 FLATIRONS, INC.

CITY OF BOULDER
BOARD OF ZONING ADJUSTMENT
ACTION MINUTES
November 14, 2013, 5 p.m.
1777 Broadway, West Conference Room

Board Members Present: Michael Hirsch, Thomas Krueger, Christopher Lane, Ellen McCready, David Schafer

Board Members Absent:

City Attorney Representing Board: Erin Poe

Staff Members Present: Brian Holmes, Robbie Wyler, Susan Meissner

1. CALL TO ORDER:

T. Krueger called the meeting to order at 5:09 p.m.

2. BOARD HEARING:

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.

Staff Presentation:

R. Wyler presented the item to the board.

Applicant Presentation:

Larry and Bean Rothenberg, the applicants, presented to the board.

Board Discussion:

T. Krueger noted that the setback on the west was a technicality but took issue with the setback on the south side. He would like to see a by-right solution.

Motion:

On a motion by **E. McCready**, seconded by **D. Schafer**, the Board of Zoning Adjustment voted 3-2 (**T. Krueger** and **C. Lane** in opposition) to approve the application (**Docket 2013-09**) as presented.

3. GENERAL DISCUSSION:

A. Approval of Minutes:

On a motion by **M. Hirsch**, seconded by **C. Lane**, the Board of Zoning Adjustment voted 5-0 to approve the October 10, 2013 minutes.

B. Matters from the Board:

Lisa Eggers, the applicant’s agent for 1109 Pine Street, explained that the agenda item would be postponed to the following meeting. She answered questions from the board.

Council Member Suzy Ageton presented information regarding Council’s Boards and Commissions committee. She received feedback from the board.

C. Matters from the City Attorney:

There were no matters from the City Attorney.

D. Matters from Staff

There were no matters from staff.

4. ADJOURNMENT:

There being no further business to come before the board at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED AT 6:46 P.M.

APPROVED BY

DATE
