

MEMORANDUM

To: Planning Board
FROM: Sloane Walbert, Case Manager
DATE: April 28, 2016
SUBJECT: Call-Up Item: NON-CONFORMING USE REVIEW to reduce the number of units on the property at 1627 17th Street from three dwelling units in two structures to two dwelling units in two structures (case no. LUR2016-00013). The project site is zoned Residential - Mixed 1 (RMX-1). The call-up period expires on **May 9, 2016**.

Background. The 0.16-acre project site is located west of, and adjacent to, 17th Street between Canyon Boulevard and Grove Street in the Goss-Grove neighborhood. The property is roughly one quarter mile south of the downtown pedestrian district (Pearl Street). Refer to *Figure 1* for a Vicinity Map.

Goss-Grove is one of Boulder's oldest neighborhoods. Significant redevelopment occurred in the 1970s and 1980s when the High Density Overlay Zone allowed higher density development, resulting in the replacement of small, single-family houses with large apartment buildings. The subject property was part of the comprehensive rezoning of the Goss-Grove neighborhood in 2012 from Residential - High 2 (RH-2) to Residential Mixed Use (RMX-1). The rezoning occurred following the Boulder Valley Comprehensive Plan (BVCP) 2010 Major Update, where the underlying land use designation was changed from High Density Residential (HDR) to Mixed Density Residential (MXR). The MXR land use designation is in the medium density range from six to 14 units per acre.

The Residential Mixed Use (RMX-1) zone district is defined as "mixed density residential areas with a variety of single-family, detached, duplexes, and multi-family units that will be maintained, and where existing structures may be renovated or rehabilitated," ([section 9-5-2\(c\)\(1\)\(D\)](#), B.R.C. 1981). High density residential zoning (Residential - High 2) is located directly adjacent to the property to the north, west and east. The property is also in close proximity to the Business - Transitional 2 (BT-2) and Downtown 5 (DT-5) zone districts. Refer to *Figure 2* on the following page. The surrounding streets are included in the Goss-Grove Neighborhood Parking Permit Zone.



Figure 1: Vicinity Map

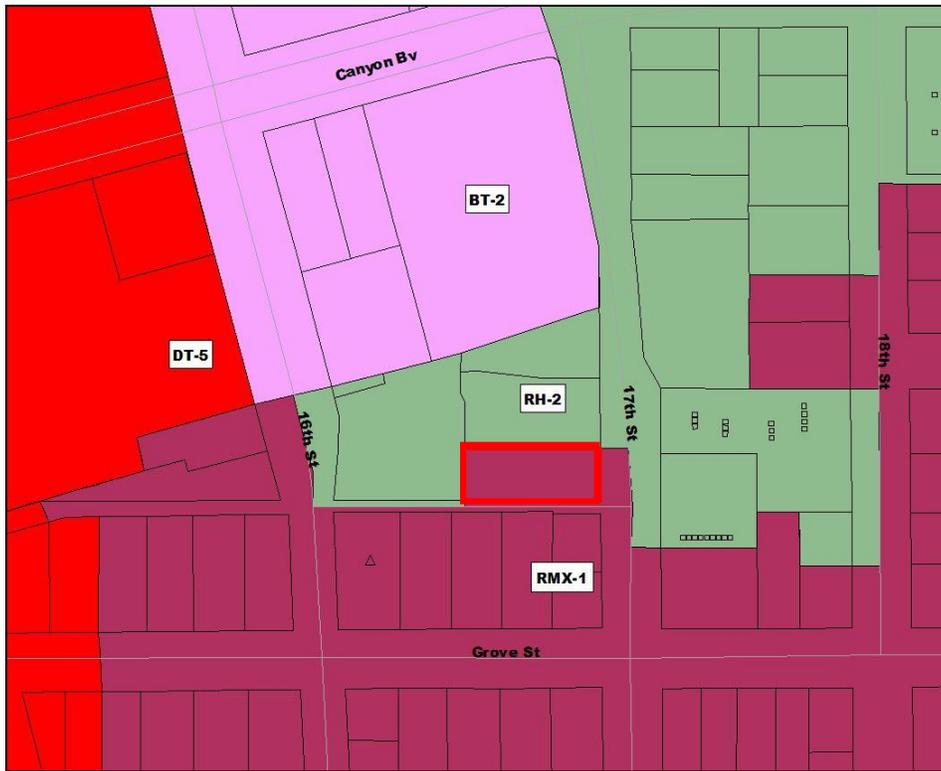


Figure 2: Zoning Map

The property contains a historic 2-story home with a basement, a frame studio structure and a 2-story barn structure. The house was built in the 1880s and is a Queen Anne style structure. The historic home features a brick first floor with stone sills and lintels and a frame second story with clapboard siding, which may have been added-on later. The home's Queen Anne details are typical of the area.

City zoning inspection records from 1974 describe three legal dwelling units on the property. A rental license has been maintained for three units since at least 1992. The site includes a duplex in the historic home and a studio located in the frame structure in the center of the property, which were legally established prior to the existing zoning, and thus, is considered nonconforming to the current zoning. The property is nonconforming as to:

- **Density** because the minimum lot area per dwelling unit in the RMX-1 zone district is 6,000 square feet and the maximum number of dwelling units per acre is 7.3. The lot is 6,768 square feet in area (0.16 acres) and contains three dwelling units. The existing density is 19.4 dwelling units per acre; and
- **Parking** because the site appears to have four informal off-street parking spaces, where five spaces are required. The existing duplex is required to have four spaces and the studio unit is required to have one.

Two structures on the property are considered nonstandard. The historic home is nonstandard because it does not meet the minimum front yard setback. The required front setback is 25 feet, where 16 feet is provided. The studio unit in the rear is nonstandard because it does not meet the minimum side yard setback from an interior lot line. The required side yard setback is five feet, where the existing south side yard setback is 0.6 feet.



Figure 3: Historic Home



Figure 4: Barn and Studio Structures on Alley

Project Proposal. The applicant is proposing to convert the historic structure from a duplex to a single-family residence and construct a second detached dwelling unit behind the historic house. The following changes to the site are included in the proposal:

- Removal of two, low-quality building additions on the west and south sides of the historic home along with a new 234 square foot two-story addition and new deck at the rear of the historic home.
- Removal of the existing 227 square foot studio located in the center of the property and construction of a new 1,270 square foot detached single-family home. New home would have a deck on the north side of the structure and a rooftop deck. Structure would be modern in design with light gray stucco and dark wood rainscreen siding and feature metal accents.
- Partial demolition of the existing barn structure, which has been damaged by fire, removal of a lean-to shed attached to the north side of the structure, and removal of upper floor loft. The barn structure would be restored and converted into two single-car garages. The area demolished from the south side of the barn is planned to be used as a drive access from the alley.

In order to meet the criteria for modifications to nonconforming uses, the development proposal also includes several site improvements to improve the physical appearance of the site (refer to [Attachment D](#) for the applicant's proposed plans). The following is included in the proposal:

- Updating the landscape to provide four new trees, including three alley trees along the south side of the property;
- Establishing two formal parking spaces off the alley in the barn structure to meet the current code requirements pursuant to [section 9-9-6](#), "Parking Standards," B.R.C. 1981. Per Table 9-1 of the land use code, the minimum number of off-street parking spaces for a detached dwelling unit (DU) is one space. Therefore, the proposal will bring the property into compliance with the parking standards with the provision of two spaces;
- Renovating and remodeling the dilapidated building exterior façade elements of the historic home, including new paint, replacement of wood shingles, and repairs to the front porch; and

- Providing a trash enclosure on a new concrete slab on the alley with screening that is consistent with the current code requirements pursuant to [section 9-9-18](#), “Trash Storage and Recycling Areas,” B.R.C. 1981.

Review Process. As noted above, the project site is considered a nonconforming use with respect to density and parking. The development proposal is considered an expansion of a nonconforming use as defined in chapter 9-16, “Definitions,” B.R.C. 1981, because the proposal will increase floor area.

“Expansion of nonconforming use” means any change or modification to a nonconforming use that constitutes:

- (1) An increase in the occupancy, floor area, required parking, traffic generation, outdoor storage, or visual, noise, or air pollution;*
- (2) Any change in the operational characteristics which may increase the impacts or create adverse impacts to the surrounding area including, without limitation, the hours of operation, noise, or the number of employees;*
- (3) The addition of bedrooms to a dwelling unit, except a single-family detached dwelling unit; or*
- (4) The addition of one or more dwelling units.”*

Pursuant [section 9-10-3\(c\)\(2\)](#), “Standards for Changes to Nonstandard Buildings, Structures and Lots, and Nonconforming Uses,” B.R.C. 1981, applications for Nonconforming Use Review are reviewed for consistency with the criteria set forth in [subsection 9-2-15\(e\) and \(f\)](#), B.R.C. 1981. Generally, the Nonconforming Use Review criteria are focused on decreasing the level of nonconformity of the site, minimizing adverse impacts to surrounding properties, maintaining consistency surrounding uses as well as area character and improving the appearance of the property.

Analysis. The proposal was found to be consistent with the Use Review criteria pursuant to [subsections 9-2-15\(e\)](#) “Criteria for Review” and (f) “Additional Criteria for Modifications to Nonconforming Uses,” B.R.C. 1981. The proposal will reduce the degree of nonconformity of the use. As described above, the project site is nonconforming as to density and parking. The maximum permitted density in the RMX-1 zone district is 7.3 dwelling units per acre. With three dwelling units, the density of the site is currently 19.4 dwelling units per acre. The conversion of the duplex into a single-family home and replacement of the studio in the center of the property will result in two dwelling units, which is a density of 12.9 dwelling units per acre. The removal of a dwelling unit will also bring the site closer into compliance with the minimum lot area per dwelling unit of 6,000 square feet. The provision of two formal parking spaces in the barn structure will bring the property into compliance with the vehicular parking requirements of [section 9-9-6](#), “Parking Standards,” B.R.C. 1981. In addition, the proposal would remove one of the nonstandard structures from the property.

The applicant has taken reasonable measures to improve the general appearance of the site and reduce the effects of the nonconformity on the surrounding area. A reduction in the number of units and allowable occupancy will result in less vehicular traffic. The elimination of parking from the rear yard and addition of landscaping and open space will reduce adverse visual impacts and noise pollution. Landscape improvements will alleviate the effects of the nonconformity upon the surrounding area. New street and alley trees will screen the property and improve the streetscape. A new trash enclosure with screening should reduce any refuse or junk on the property. Improvements to building exterior façade elements of the historic home and removal of the dilapidated shed will alleviate adverse visual impacts. The design of the proposed modern structure takes cues from the adjacent modern office building and there is a clear delineation between the new structure and the historic structure. Staff

finds that the proposal is consistent with the character of the area in terms of use, scale and design. Refer to [Attachment B](#) for the complete criteria analysis.

Public Comment. Required public notice was given in the form of written notification mailed to all property owners within 600 feet of the subject property and a sign posted on the property for at least 10 days. All notice requirements of [section 9-4-3](#), “Public Notice Requirements,” B.R.C. 1981 have been met. In response to the required public notice, several comments have been received (refer to [Attachment D](#)). The majority of comments received were in support of the project, generally stating that the proposal would be good for the neighborhood and would restore a significant historic building. A letter received from the Goss-Grove Neighborhood Association summarized a neighborhood meeting held by the applicant. The letter stated that the primary concerns identified by the neighborhood were architectural compatibility, building mass and scale, parking, and the preservation of a large mature tree on the alley.

Conclusion. Staff finds that the proposed project meets the relevant criteria of [section 9-2-15](#), “Use Review,” B.R.C. 1981 (refer to [Attachment B](#)).

The proposal was **approved** by Planning and Development Services staff on **April 25, 2016** and the decision may be called up before Planning Board on or before **May 9, 2016**. There is one Planning Board hearing scheduled during the required 14-day call-up period on **May 5, 2016**. Questions about the project or decision should be directed to the Case Manager, Sloane Walbert at (303) 441-4231 or at walberts@bouldercolorado.gov.

Attachments:

- A. [Disposition of Approval](#)
- B. [Analysis of Use Review Criteria](#)
- C. [Applicant’s Proposed Plans](#)
- D. [Public Comment](#)



**CITY OF BOULDER
Planning and Development Services**

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**CITY OF BOULDER PLANNING DEPARTMENT
NOTICE OF DISPOSITION**

You are hereby advised that the following action was taken by the Planning Department based on the standards and criteria of the Land Use Regulations as set forth in Chapter 9-2, B.R.C. 1981, as applied to the proposed development.

DECISION: **Approved with conditions**
PROJECT NAME: **1627 17TH NONCONFORMING USE REVIEW**
DESCRIPTION: **NON-CONFORMING USE REVIEW to reduce the number of units on the property from three dwelling units in two structures (six bedrooms total) to two dwelling units in two structures. The historic Victorian structure to be converted from a duplex to a single-family residence. Two existing low-quality building additions to be removed and a small two-story addition to be made at the rear of the house. In addition, an existing 227 square foot studio located in the center of the property to be demolished and a new 1,300 square foot house to be constructed. The existing barn structure, which has been damaged by fire, to be restored and converted into two single car garages with a drive access from the alley.**

LOCATION: **1627 17TH ST**
COOR: **N03W06**
LEGAL DESCRIPTION: **See Exhibit A attached**
APPLICANT: **Cherie Goff, HMH Architecture + Interiors**
OWNER: **Live Goss Grove LLC, a Colorado limited liability company**
APPLICATION: **Use Review, LUR2016-00013**
ZONING: **Residential - Mixed 1 (RMX-1)**
CASE MANAGER: **Sloane Walbert**
VESTED PROPERTY RIGHT: **NO; the owner has waived the opportunity to create such right under Section 9-2-19, B.R.C. 1981.**

FOR CONDITIONS OF APPROVAL, SEE THE FOLLOWING PAGES OF THIS DISPOSITION.

Approved On: 4/25/16
Date

By: [Signature]
David Driskell, Executive Director of Planning, Housing and Sustainability

This decision may be appealed to the Planning Board by filing an appeal letter with the Planning Department within two weeks of the decision date. If no such appeal is filed, the decision shall be deemed final fourteen days after the date above mentioned.

Appeal to Planning Board expires: 5/9/16

Final decision date: _____

IN ORDER FOR A BUILDING PERMIT APPLICATION TO BE PROCESSED FOR THIS PROJECT, A SIGNED DEVELOPMENT AGREEMENT AND FINAL PLANS FOR CITY SIGNATURE MUST BE SUBMITTED TO THE PLANNING DEPARTMENT WITH DISPOSITION CONDITIONS AS APPROVED SHOWN ON THE FINAL PLANS, IF THE DEVELOPMENT AGREEMENT IS NOT SIGNED WITHIN NINETY (90) DAYS OF THE FINAL DECISION DATE, THE PLANNING DEPARTMENT APPROVAL AUTOMATICALLY EXPIRES.

Pursuant to Section 9-2-12 of the Land Use Regulations (Boulder Revised Code, 1981), the applicant must begin and substantially complete the approved development within three years from the date of final approval. Failure to "substantially complete" (as defined in Section 9-2-12) the development within three years shall cause this development approval to expire.

CONDITIONS OF APPROVAL

1. The Applicant shall ensure that the **development shall be in compliance with all plans prepared by the Applicant** on April 8, 2016 and the Applicant's written statements dated January 29, 2016 and April 8, 2016, on file in the City of Boulder Planning Department, except to the extent that the development may be modified by the conditions of this approval.
2. The Applicant **shall not expand or modify the approved use**, except pursuant to subsection 9-2-15(h), B.R.C. 1981.

Exhibit A

Attached Legal Description

Parcel 1:

Lot 4, Block 2, Orchard Home, County of Boulder, State of Colorado, together with that portion of the vacated alley lying East of the center line and adjacent to the West line of said Lot 4, and that portion of the vacated alley lying South of the centerline and adjacent to the North line of said Lot 4, both as vacated by Ordinance No. 1512 recorded March 18, 1949 in Book 844 at Page 217, which reverts to said Lot 4 by operation of law, County of Boulder, State of Colorado, and

All that part of Lot 2, Block 2, and all that part of an alley as vacated by Ordinance No. 1512 recorded in Book 844 at Page 217 of the records of Boulder County, Colorado, all in Orchard Home, a Subdivision as shown on the map of lands belonging to the Heirs of Marinus G. Smith, Deceased, recorded in Plat Book 2, Volume 2, Page 189 of the records of Boulder County, Colorado, described as follows:

Beginning at the Southeast Corner of said Lot 2, thence South $0^{\circ}20'35''$ East, 7.00 feet along the East line of Lot 2 extended Southerly to the Centerline of said alley; thence South $89^{\circ}39'30''$ West, 135.00 feet along the Centerline of said alley and along the South line of that tract of land conveyed to Boulder Youth Planners as described in Deed recorded on Film 529 at Reception No. 779663 of the records of Boulder County, Colorado; thence North $45^{\circ}20'40''$ West, 9.90 feet along the Southerly line of that tract of land as described on said Film 529 at Reception No. 779663 to the Southwest Corner of said Lot 2; thence North $0^{\circ}20'35''$ West, 11.50 feet along the West line of said Lot 2; thence North $84^{\circ}00'$ East, 13.50 feet; thence South $85^{\circ}00'$ East, 66.00 feet; thence South $88^{\circ}00'$ East, 62.91 feet to the East line of said Lot 2; thence South $0^{\circ}20'35''$ East, 4.12 feet along the East line of said Lot 2 to the point of beginning.

Parcel 2:

Lot 5, Block 2, Orchard Home, County of Boulder, State of Colorado, together with that portion of the vacated alley lying East of the center line and adjacent to the West line of said Lot 5, as vacated by Ordinance No. 1512 recorded March 18, 1949 in Book 844 at Page 217, which reverts to said Lot 5 by operation of law, County of Boulder, State of Colorado.

Overall, the project was found to be consistent with the criteria for Use Review set forth in [subsections 9-2-15\(e\) and \(f\)](#), B.R.C. 1981.

(e) "Criteria for Review": No use review application will be approved unless the approving agency finds all of the following:

- ✓ (1) **Consistency with Zoning and Non-Conformity:** The use is consistent with the purpose of the zoning district as set forth in [section 9-5-2\(c\)](#), "Zoning Districts Purposes," B.R.C. 1981, except in the case of a non-conforming use;

The project site is zoned Residential - Mixed 1 (RMX-1), which is defined as "mixed density residential areas with a variety of single-family, detached, duplexes, and multi-family units that will be maintained; and where existing structures may be renovated or rehabilitated" [section 9-5-2\(c\)\(1\)\(D\)](#), B.R.C. 1981. Attached dwellings are an allowed use in the RMX-1 zone district. However, the property is nonconforming because it exceeds the maximum permitted density in the zone district (6,000 square feet of lot area per dwelling unit and 7.3 dwelling units/acre) and does not satisfy the off street parking requirements (5 spaces required).

Two structures are also considered nonstandard. The historic home is nonstandard because it does not meet minimum front setback. The required front yard setback is 25', where 16' is provided. The studio unit in the center of the property is nonstandard because it does not meet the minimum side yard setback from an interior lot line. The required side yard setback is 5', where the existing south side yard setback is 0.6'.

- ✓ (2) **Rationale:** The use either:

N/A (A) Provides direct service or convenience to or reduces adverse impacts to the surrounding uses or neighborhood;

N/A (B) Provides a compatible transition between higher intensity and lower intensity uses;

N/A (C) Is necessary to foster a specific city policy, as expressed in the Boulder Valley Comprehensive Plan, including, without limitation, historic preservation, moderate income housing, residential and non-residential mixed uses in appropriate locations, and group living arrangements for special populations; or

✓ (D) Is an existing legal nonconforming use or a change thereto that is permitted under subsection (f) of this section;

The property is a legal nonconforming use that was established at least prior to 1969. The site is nonconforming as to density and parking.

- ✓ (3) **Compatibility:** The location, size, design, and operating characteristics of the proposed development or change to an existing development are such that the use will be reasonably compatible with and have minimal negative impact on the use of nearby properties or for residential uses in industrial zoning districts, the proposed development reasonably mitigates the potential negative impacts from nearby properties;

The proposal is compatible with the surrounding area. The properties in the immediate vicinity include various multi-family residential developments, including apartments, duplexes and triplexes, single-family homes and commercial uses. The proposal would reduce the overall number of dwelling units,

reduce the number of bedrooms, reduce the vehicular parking demands and decrease the allowable occupancy of the property.

The new detached single-family residence will be 1,300 square feet and is a mass and scale appropriate for an alley house. With the small addition, the historic home will continue to be of a modest scale with 1,521 square feet of floor area. The property will meet compatible development standards, including side yard wall articulation, side yard bulk plane, maximum building coverage and floor area ratio requirements.

Considering the character of the area (see criterion 5 below), the proposal is reasonably compatible with the surrounding properties and will have minimal negative impact on such properties.

- ✓ (4) Infrastructure: As compared to development permitted under [section 9-6-1](#), "Schedule of Permitted Land Uses," B.R.C. 1981, in the zone, or as compared to the existing level of impact of a nonconforming use, the proposed development will not significantly adversely affect the infrastructure of the surrounding area, including, without limitation, water, wastewater, and storm drainage utilities and streets;

The infrastructure required to provide services to the site exist today. No additional infrastructure is required as a result of the proposal.

- ✓ (5) Character of Area: The use will not change the predominant character of the surrounding area;

The development proposal will not change the predominant character of the surrounding area, which is characterized by both residential uses, including apartments, duplexes, triplexes and single-family residences and commercial uses. The neighborhood character is eclectic and contains a diversity of building sizes and styles.

Most notably, the building directly adjacent to the west of the property is the Easton Office Building at 1636 16th Street, which is considered a significant example of post-war modernist architecture in Boulder. The building was constructed in 1964 and features stuccoed walls, a glass curtain wall of vertical floor to ceiling windows, a flat roof with deep projecting eaves and projecting bays in the form of stuccoed boxes. See Figure 5 below.



Figure 5: Easton Office Building

The property is also in close proximity to the modern drive-up bank at 1650 Canyon Blvd. The structure is constructed of cast-in-place concrete and features circular roof canopies supported by columns (Figure 6). Across 17th Street to the east are a series of large multifamily buildings, primarily constructed of brick. The area to the south of the property contains a number of simple, vernacular historic homes, primarily constructed in the late 1890s. Two historic structures of merit are located in the vicinity, the Henry Drumm House at 1638 Grove St. and the cottage at 1728 Grove St. (Figures 7 and 8). Refer to Sheet G1.2 for an architectural survey of the surrounding buildings prepared by the applicant.



Figure 6: Wells Fargo Bank



Figure 7: 1638 Grove St.



Figure 7: 1728 Grove St

The design of the proposed modern structure takes cues from the adjacent modern office building and there is a clear delineation between the new structure and the historic structure (see Figure 8 on the following page). Staff finds that the proposal is consistent with the character of the area in terms of use, scale and design.

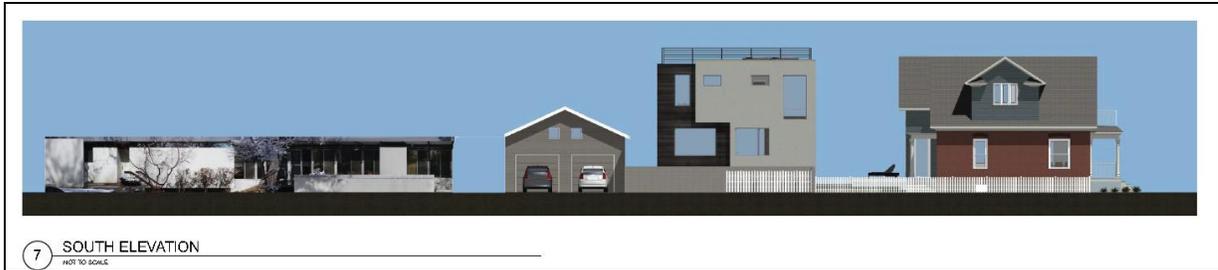


Figure 8: Proposed Modern Dwelling in Relation to Historic Home and Easton Office Building

- N/A (6) **Conversion of Dwelling Units to Non-Residential Uses:** There shall be a presumption against approving the conversion of dwelling units in the residential zoning districts set forth in [subsection 9-5-2\(c\)\(1\)\(a\)](#), B.R.C. 1981, to non-residential uses that are allowed pursuant to a use review, or through the change of one non-conforming use to another non-conforming use. The presumption against such a conversion may be overcome by a finding that the use to be approved serves another compelling social, human services, governmental, or recreational need in the community including, without limitation, a use for a day care center, park, religious assembly, social service use, benevolent organization use, art or craft studio space, museum, or an educational use.

Not applicable, the proposal does not include the conversion of dwelling units.

(f) “Additional Criteria for Modifications to Nonconforming Uses”: No application for a change to a nonconforming use shall be granted unless all of the following criteria are met in addition to the criteria set forth above:

- ✓ (1) **Reasonable Measures Required:** The applicant has undertaken all reasonable measures to reduce or alleviate the effects of the nonconformity upon the surrounding area, including, without limitation, objectionable conditions, glare, adverse visual impacts, noise pollution, air emissions, vehicular traffic, storage of equipment, materials, and refuse, and on-street parking, so that the change will not adversely affect the surrounding area.

The applicant is proposing to provide two off-street parking spaces in the barn structure, which will bring the property into compliance with the parking requirements of [section 9-9-6](#), B.R.C. 1981. Although they are not considered formal parking spaces, residents may also park in front of the garage doors in the drive access. The proposal would result in an overall reduction of bedrooms from six bedrooms to five rooms that could potentially be used for bedrooms (four are defined on the plans as bedrooms).

A reduction in the number of units and allowable occupancy will result in less vehicular traffic. The elimination of parking from the rear yard and addition of landscaping and open space will reduce adverse visual impacts and noise pollution. Landscape improvements will alleviate the effects of the nonconformity upon the surrounding area. New street and alley trees will screen the property and improve the streetscape. A new trash enclosure with screening should reduce any refuse or junk on the property. Improvements to building exterior façade elements of the historic home and removal of the dilapidated shed will alleviate adverse visual impacts. The applicant has taken reasonable measures to improve the general appearance of the site and reduce the effects of the nonconformity on the surrounding area.

- ✓ (2) Reduction in Nonconformity/Improvement of Appearance: The proposed change or expansion will either reduce the degree of nonconformity of the use or improve the physical appearance of the structure or the site without increasing the degree of nonconformity.

The proposal will reduce the degree of nonconformity of the use. The project site is nonconforming as to density and parking. The maximum permitted density in the RMX-1 zone district is 7.3 dwelling units per acre. With three dwelling units, the density of the site is currently 19.4 dwelling units per acre. The conversion of the duplex into a single-family home and replacement of the studio in the center of the property will result in two dwelling units, which is a density of 12.9 dwelling units per acre. The removal of a dwelling unit will also bring the site closer into compliance with the minimum lot area per dwelling unit of 6,000 square feet.

The provision of two formal parking spaces in the barn structure will bring the property into compliance with the vehicular parking requirements of [section 9-9-6](#), "Parking Standards," B.R.C. 1981. Per Table 9-1 of the land use code, the minimum number of off-street parking spaces for a detached dwelling unit (DU) is one space.

The proposal would remove one of the nonstandard structures from the property. The studio unit to be removed does not meet the minimum side yard setback from an interior lot line. The structure is currently only 0.6 feet from the property line.

The proposal will also improve the physical appearance of the site. The overall building coverage will be reduced on the property, which results in the provision of additional open space. The planting of additional street and alley trees will screen the property and contribute to the streetscape. Building façade improvements and the removal of the burned portion of the barn structure will improve the appearance. Parking will be formalized and will no longer occur in the rear yard. Lastly, the provision of a screened trash enclosure will reduce trash and refuse clutter on the property.

- ✓ (3) Compliance With This Title/Exceptions: The proposed change in use complies with all of the requirements of this title:

- ✓ (A) Except for a change of a nonconforming use to another nonconforming use; and

The proposal is for a change from a nonconforming use (duplex and studio, nonconforming as to density and parking) to another nonconforming use (two detached homes, nonconforming as to density).

- N/A (B) Unless a variance to the setback requirements has been granted pursuant to section 9-2-3, "Variances and Interpretations," B.R.C. 1981, or the setback has been varied through the application of the requirements of section 9-2-14, "Site Review," B.R.C. 1981.

- ✓ (4) Cannot Reasonably Be Made Conforming: The existing building or lot cannot reasonably be utilized or made to conform to the requirements of chapter 9-6, "Use Standards," 9-7, "Form and Bulk Standards," 9-8, "Intensity Standards," or 9-9, "Development Standards," B.R.C. 1981.

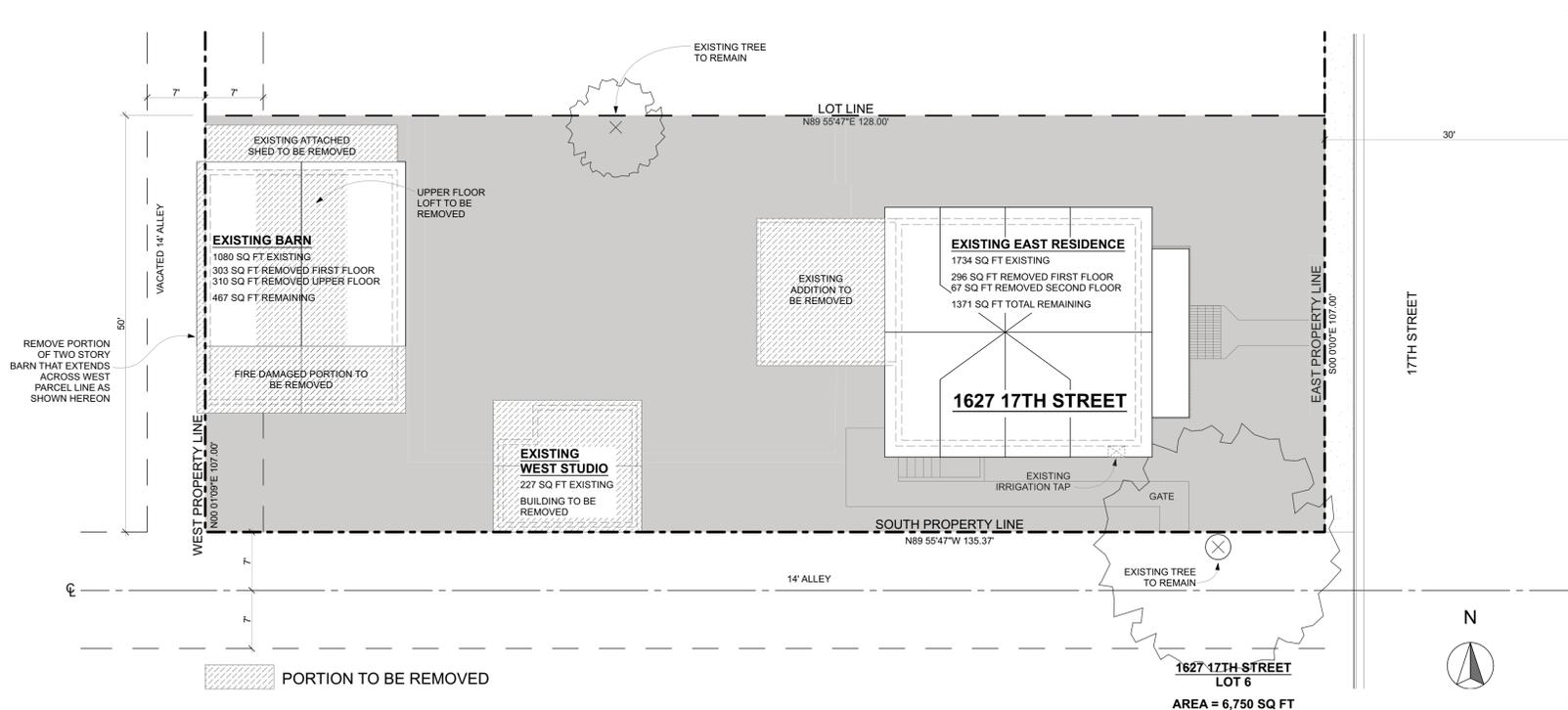
While the property could be converted to a single-family use and meet the density standards, it is a reasonable request to reduce the number of units on the property considering the context. The property is directly adjacent to a high density residential zone district and in close proximity to Canyon Boulevard and the downtown business district. Redevelopment of the property could result in one large single-family home. It can be argued that the provision of two modest dwelling units better meets the city's housing goals and is more compatible with the surrounding area. In addition, the historic

home is located in required setbacks and it is not reasonable to remove portions of the structure to meet the form and bulk standards. See comments above.

- ✓ (5) No Increase in Floor Area over Ten Percent: The change or expansion will not result in a cumulative increase in floor area of more than ten percent of the existing floor area.

The proposal will add eight percent of the existing floor area. The existing development consists of 3,041 square feet of floor area and the proposal will consist of 3,288 square feet.

- N/A (6) Approving Authority May Grant Zoning Variances: The approving authority may grant the variances permitted by subsection 9-2-3(d), B.R.C. 1981, upon finding that the criteria set forth in subsection 9-2-3(h), B.R.C. 1981, have been met.



1 EXISTING SITE PLAN
SCALE: 1" = 10'

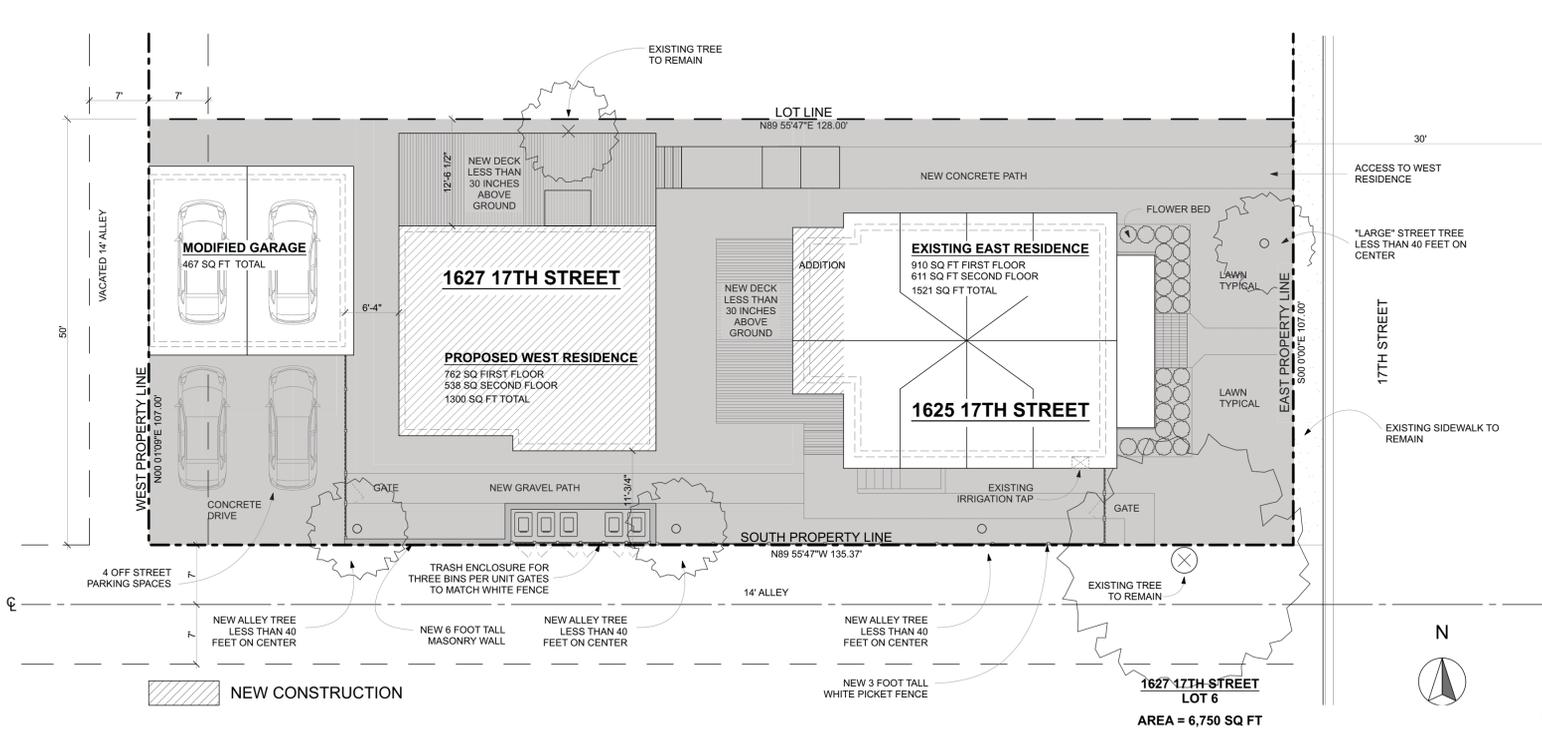
Land Use Summary Table			
Site Area	6,750 SF	0.15 acres	
Floor Area	3,770 SF*	3,766 SF Max	3,041 SF
Lot Coverage	2,404 SF	2,400 SF Max	2,101 SF
Open Space	600 sf / unit		1,444 SF
Landscape area	N/A		1,444 SF
Parking Area	N/A		529 SF

* Number represents maximum floor area based on zone district and lot size. The property is a nonconforming use and, pursuant to section 9-2-15(f)(5), B.R.C. 1981, the expansion may not result in a cumulative increase in floor area of more than 10% of the existing floor area.

Floor Area Summary Table		
	Existing	Proposed
Proposed West Residence		
First Floor	0 SF	762 SF
Basement	0 SF	0 SF
Second Floor	0 SF	538 SF
Existing West Studio	227 SF	0 SF
Existing East Residence		0
First Floor	1,104 SF	910 SF
Basement	0 SF	0 SF
Second Floor	630 SF	611 SF
Garage		
First Floor	770 SF	467 SF
Second Floor	310 SF	0 SF
Total	3,041 SF	3,288 SF
Percent Increase		8%

SITE PLAN NOTES:

1. THE EXISTING EAST RESIDENCE IS NUMBERED 1627. AS PER DISCUSSION WITH PLANNER, EAST RESIDENCE WILL BE RENUMBERED TO 1625 AND WEST RESIDENCE WILL BECOME 1627.
2. THE LOW POINT, MEASURED 20 FEET FROM MULTIPLE POINTS ON THE TWO BUILDINGS = 5327' THE SITE IS VIRTUALLY FLAT.
3. NEITHER RESIDENCE WILL BE A RENTAL HOUSE.
4. HOME OWNERS CAN LOCATE BICYCLES IN GARAGES AND OTHER LOCATIONS



2 PROPOSED SITE PLAN
SCALE: 1" = 10'

17TH STREET
1625 + 1627 17TH STREET

DATE: 4/8/16

DRAWN BY: GB
CHECKED BY: HH
PROJECT # 368

EXISTING SITE PLAN
PROPOSED SITE PLAN



HARVEY M HINE
ARCHITECTURE + INTERIORS

1701 15TH STREET
BOULDER CO 80302
303.444.8488
303.413.0305

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HARVEY M. HINE, ARCHITECT
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OFFICE



17TH STREET

1625 + 1627 17TH STREET

DATE: 4/8/16

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CHECKED BY: HH
PROJECT # 368

ARCH
CONTEXT

G1.2



1 SITE PLAN
SCALE: 1" = 10'



2 EAST RESIDENCE EAST ELEVATION
NOT TO SCALE



3 EAST RESIDENCE WEST ELEVATION
NOT TO SCALE



4 WEST RESIDENCE NORTH ELEVATION
NOT TO SCALE



5 WEST RESIDENCE EAST ELEVATION
NOT TO SCALE



6 WEST RESIDENCE WEST ELEVATION
NOT TO SCALE



7 SOUTH ELEVATION
NOT TO SCALE

17TH STREET
1625 + 1627 17TH STREET

DATE: 4/8/16

DRAWN BY: GB
CHECKED BY: HH
PROJECT # 368

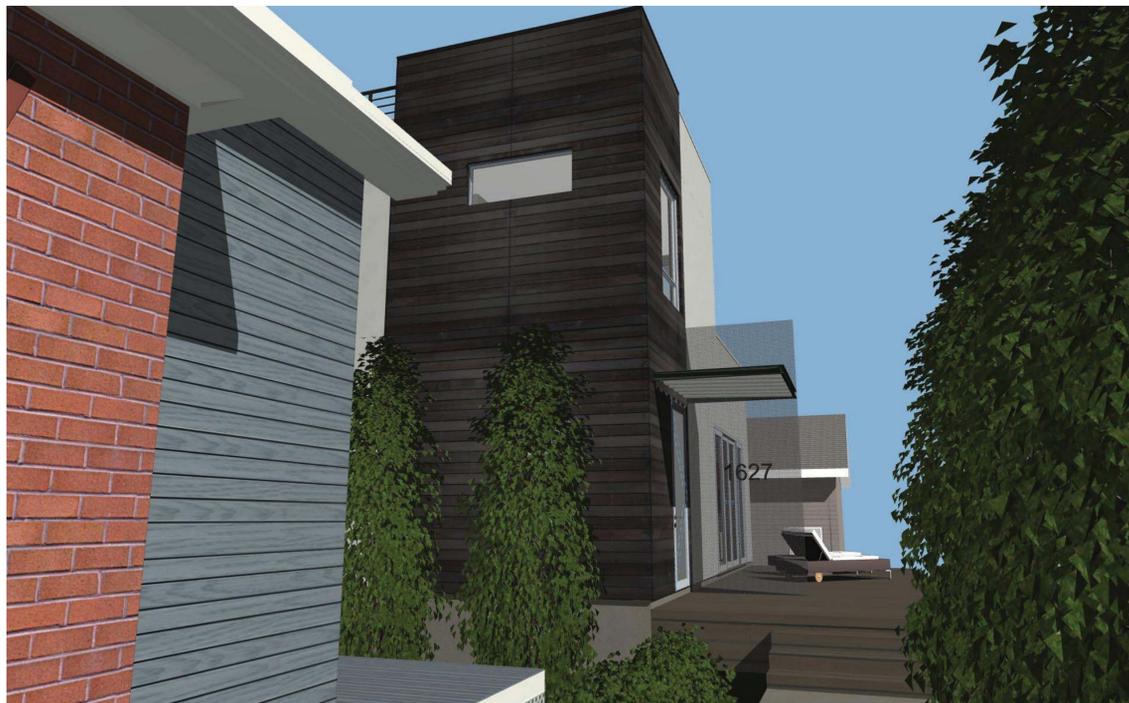
ARCH
CHARACTER



1 EAST HOUSE FROM STREET
NOT TO SCALE



2 EAST HOUSE FROM SOUTH ALLEY
NOT TO SCALE



3 WEST HOUSE FROM NORTH ALLEY
NOT TO SCALE



4 WEST HOUSE FROM GARAGE
NOT TO SCALE

CONTAINS
TRASH AREA
FOR BOTH
HOMES

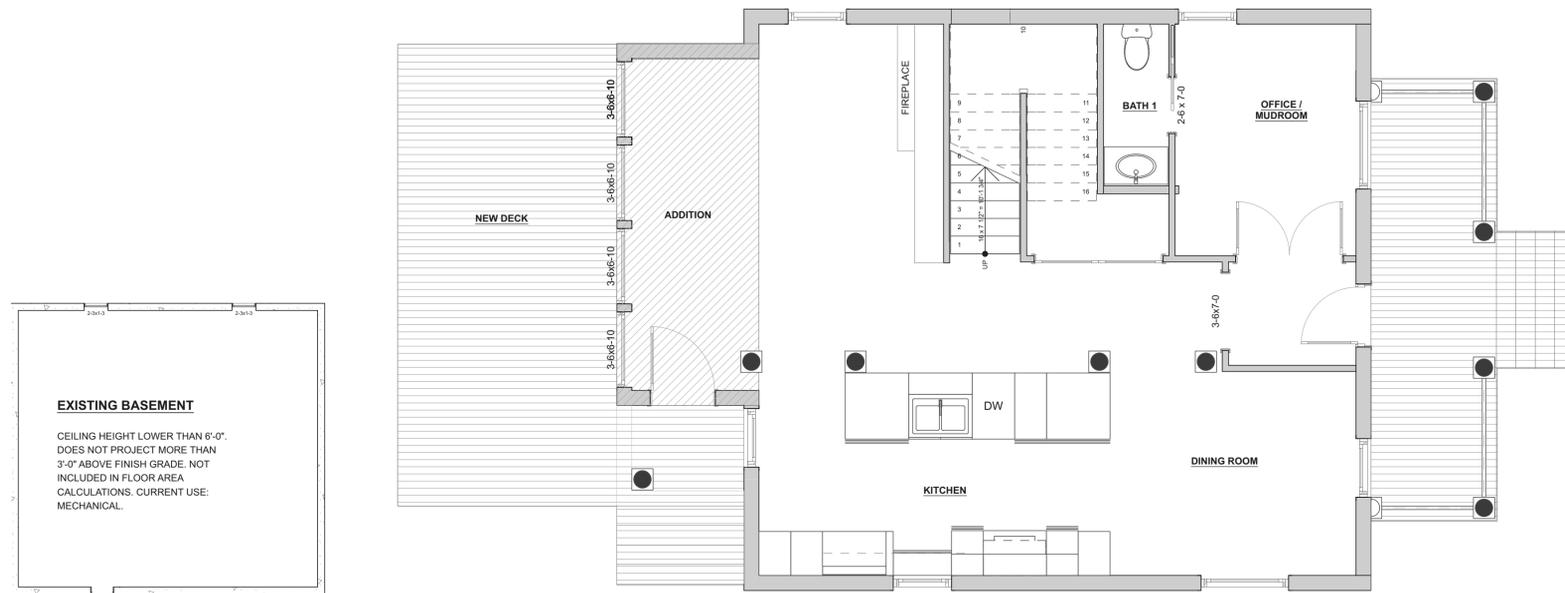
17TH STREET

1625 + 1627 17TH STREET

DATE: 4/8/16

DRAWN BY: GB
CHECKED BY: HH
PROJECT # 368

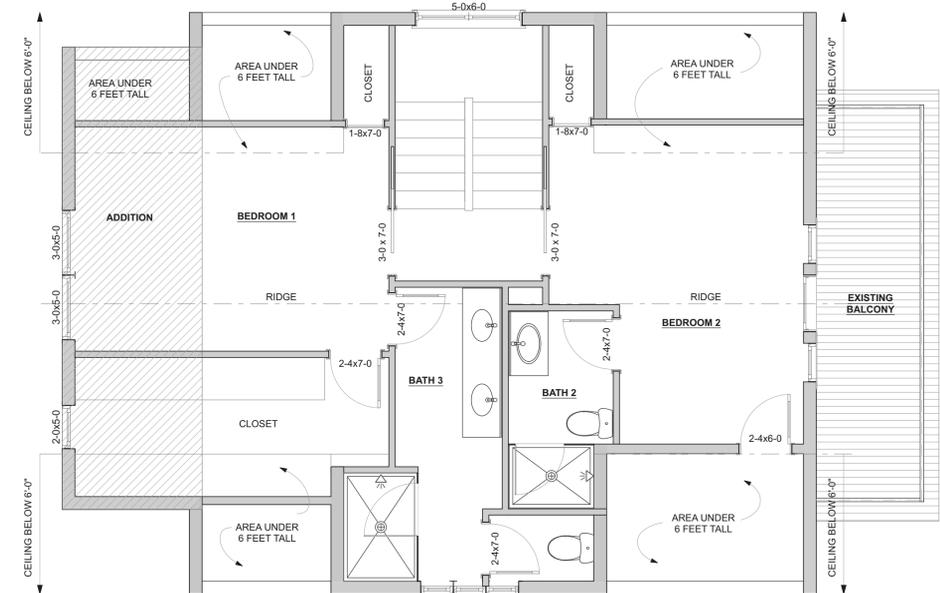
ARCH
CHARACTER



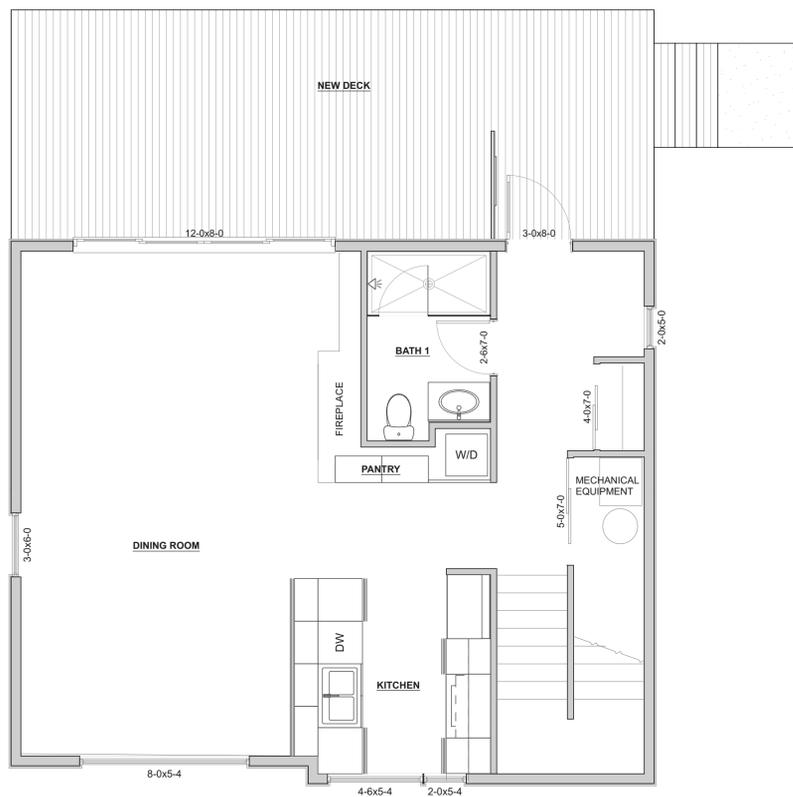
EXISTING BASEMENT
CEILING HEIGHT LOWER THAN 6'-0".
DOES NOT PROJECT MORE THAN
3'-0" ABOVE FINISH GRADE. NOT
INCLUDED IN FLOOR AREA
CALCULATIONS. CURRENT USE:
MECHANICAL.

1 EAST RESIDENCE BASEMENT PLAN
SCALE: 1/8" = 1'-0"

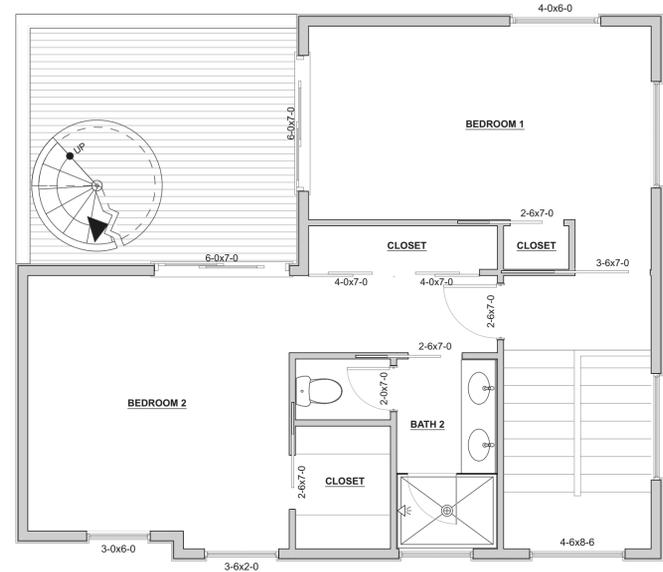
2 EAST RESIDENCE FIRST FLOOR
SCALE: 1/4" = 1'-0"



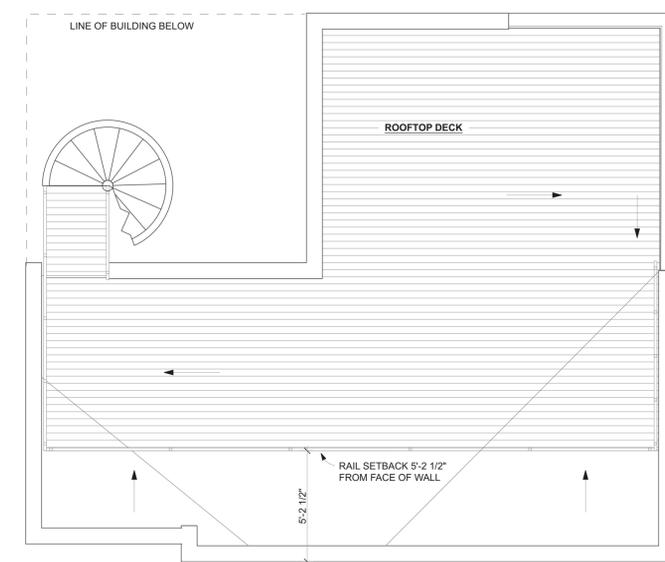
3 EAST RESIDENCE SECOND FLOOR
SCALE: 1/4" = 1'-0"



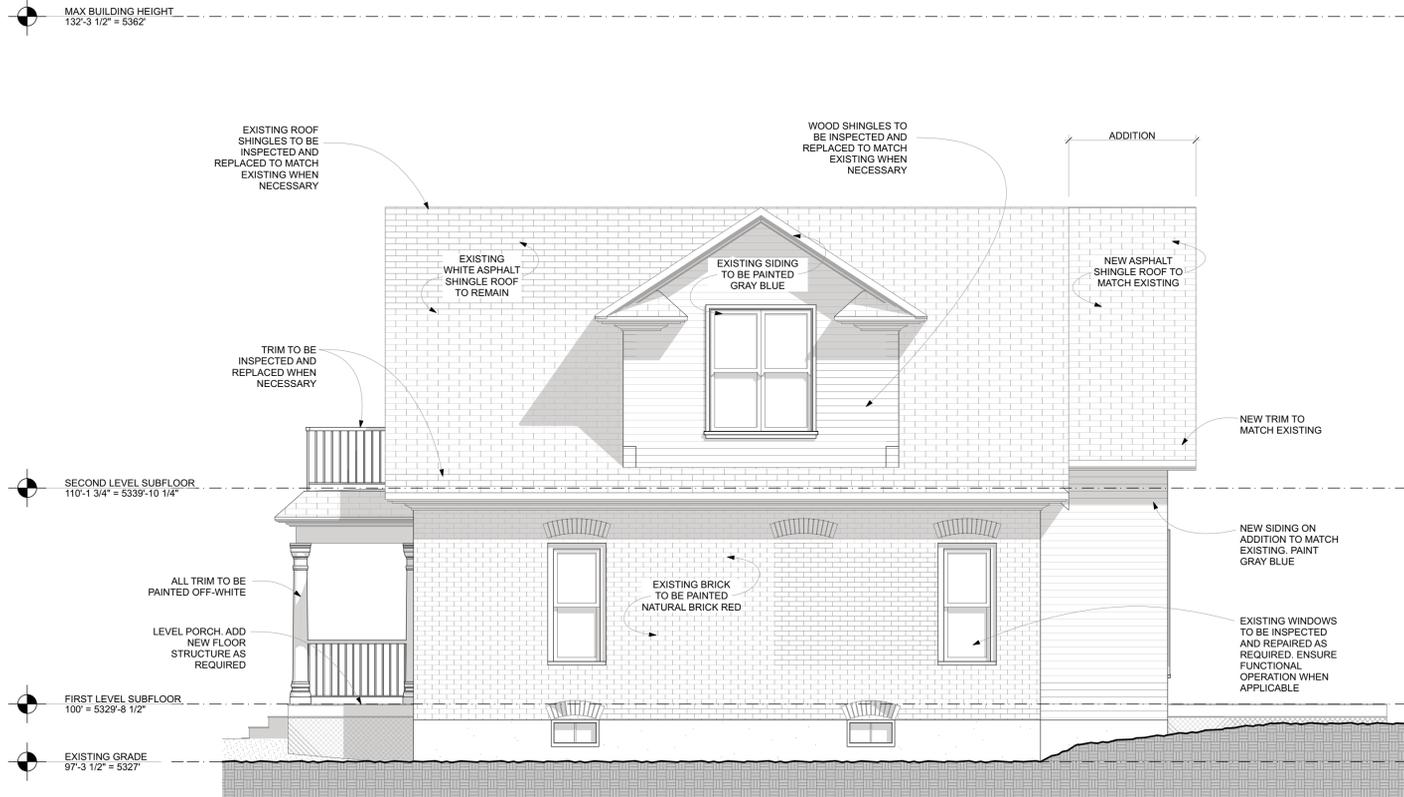
4 WEST RESIDENCE FIRST FLOOR
SCALE: 1/4" = 1'-0"



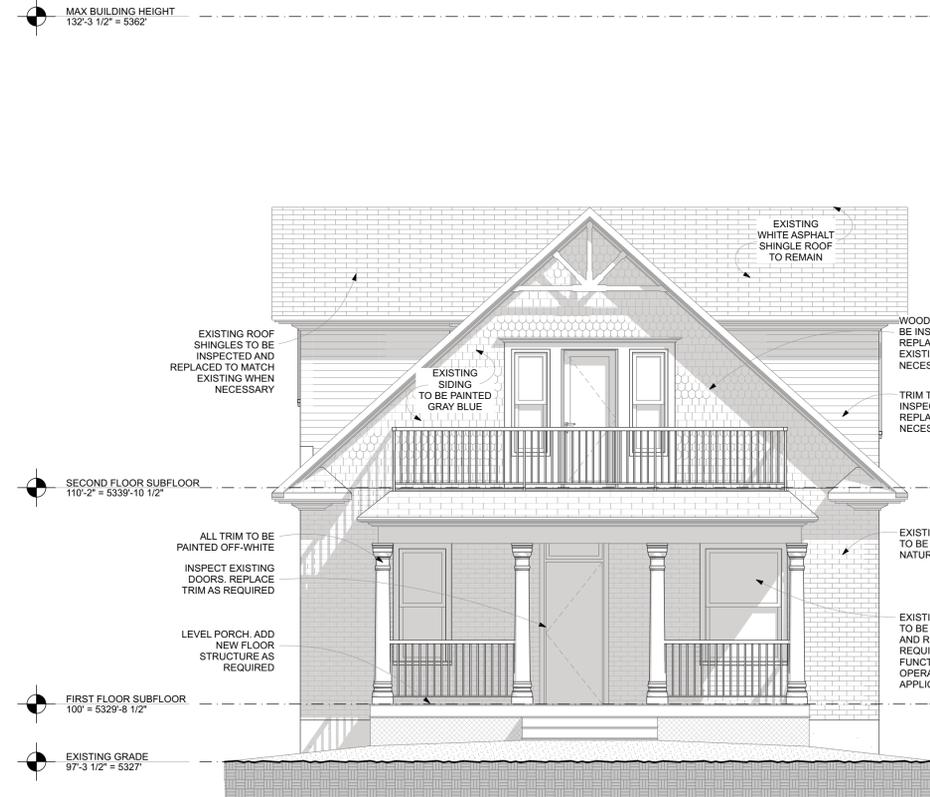
5 WEST RESIDENCE SECOND FLOOR
SCALE: 1/4" = 1'-0"



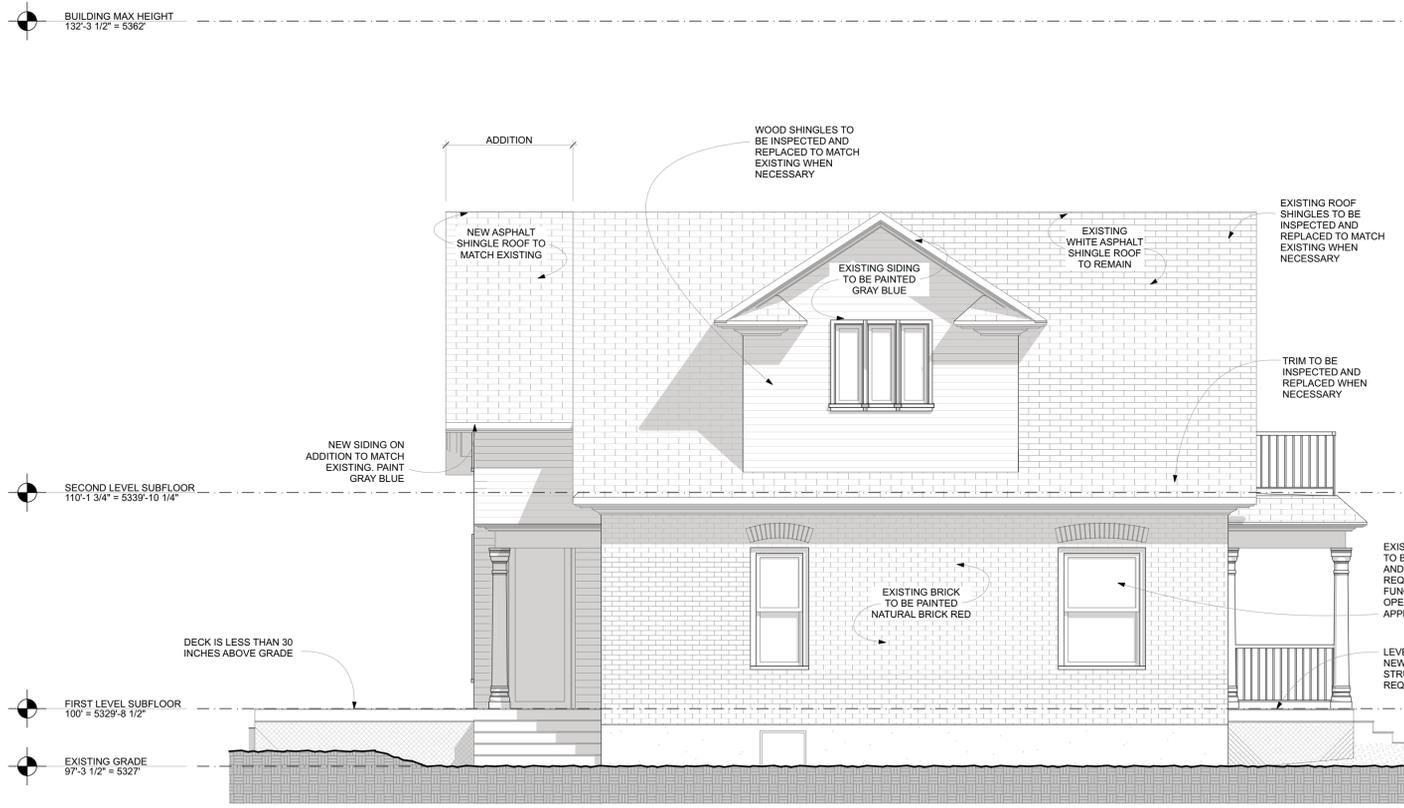
6 WEST RESIDENCE ROOFTOP DECK
SCALE: 1/4" = 1'-0"



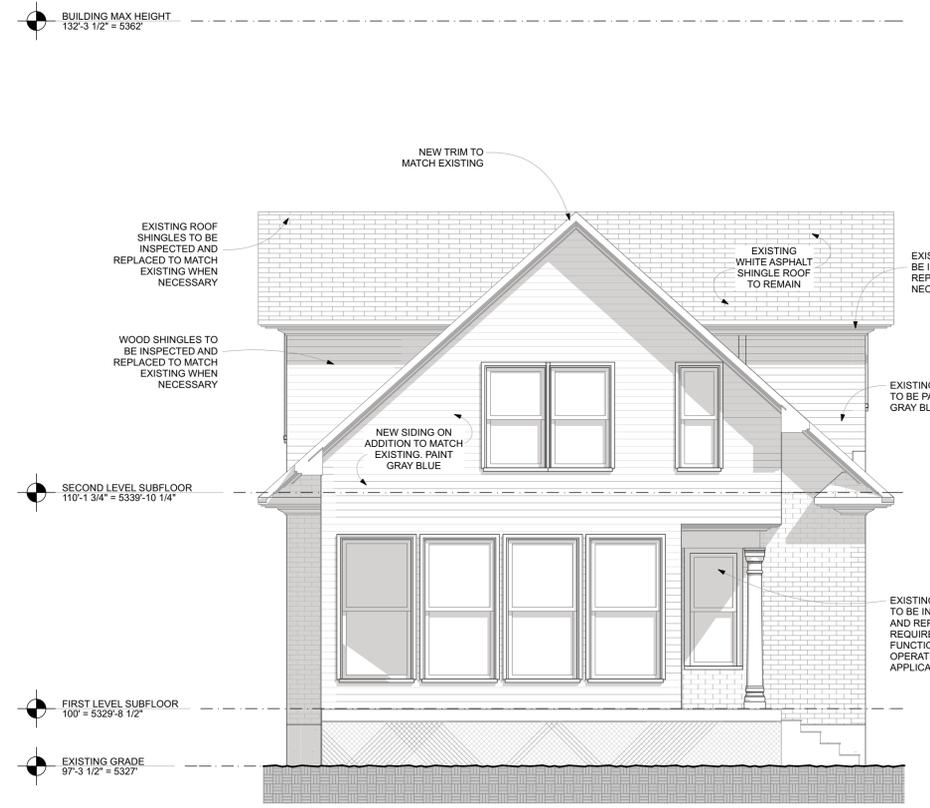
1 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



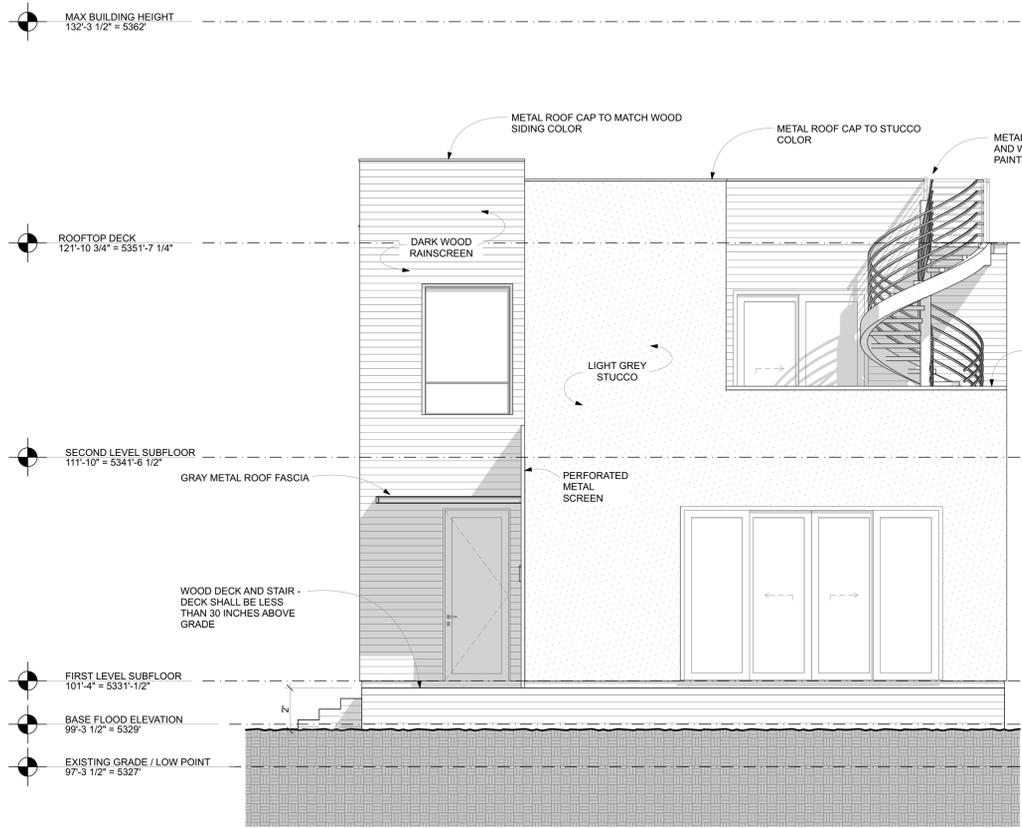
2 EAST ELEVATION
SCALE: 1/4" = 1'-0"



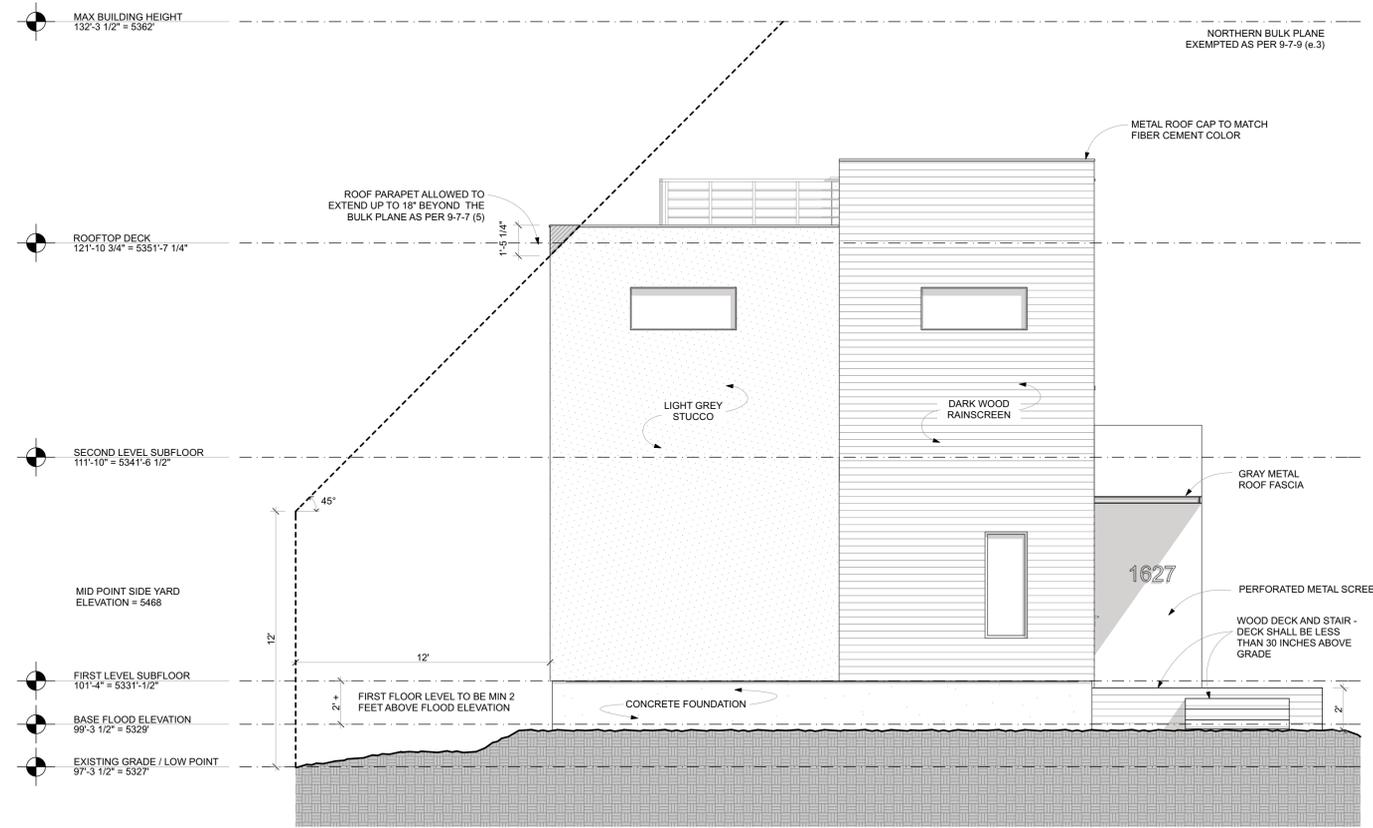
3 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



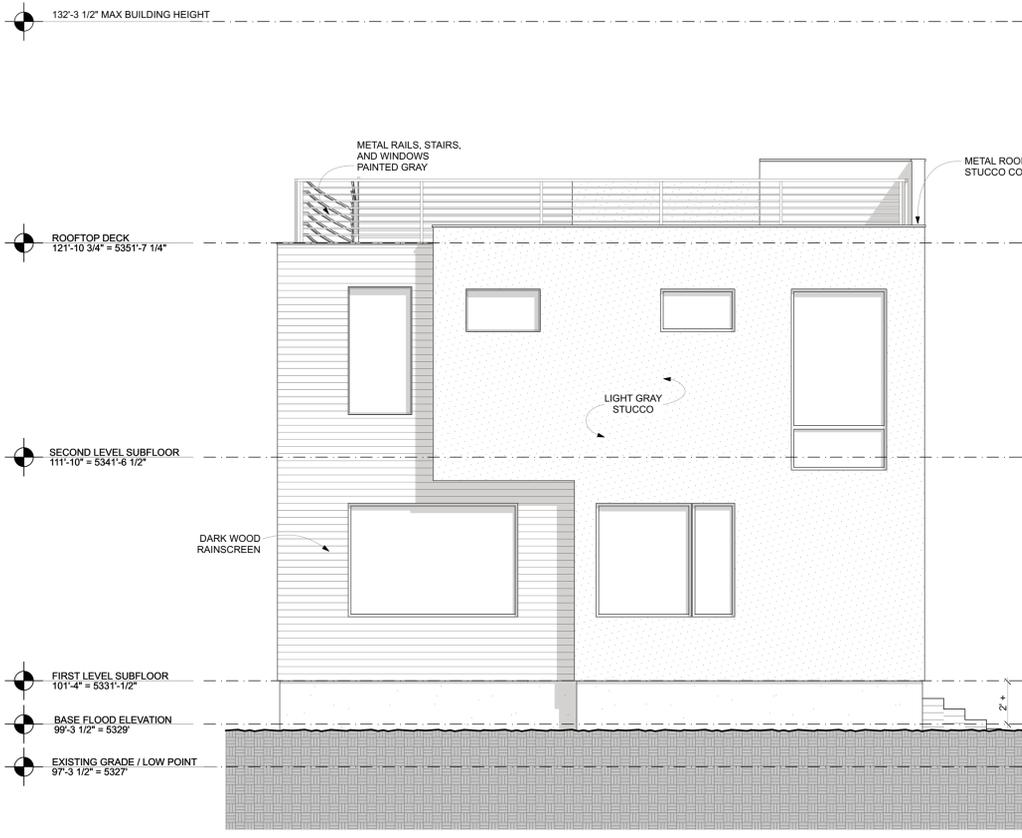
4 WEST ELEVATION
SCALE: 1/4" = 1'-0"



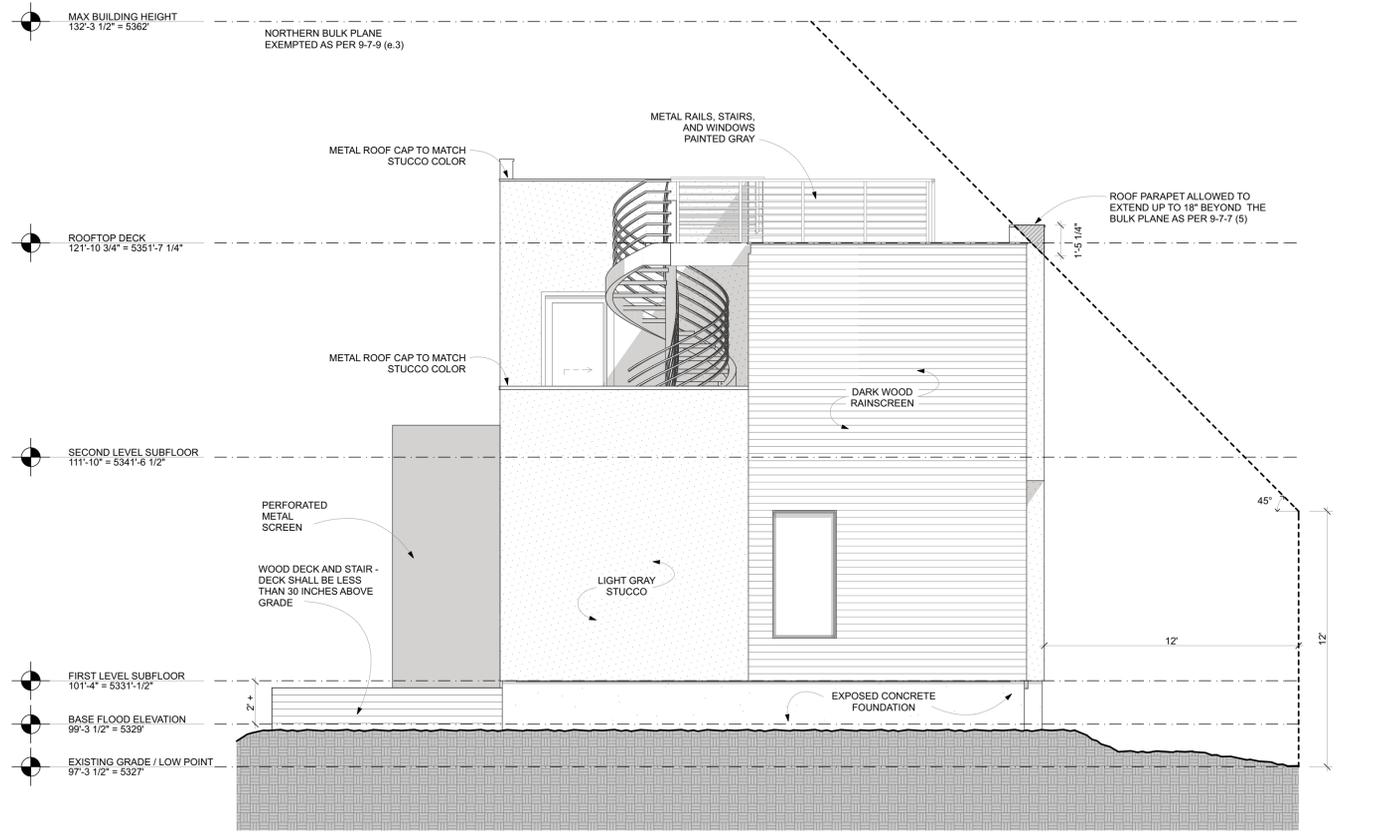
1 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



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



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



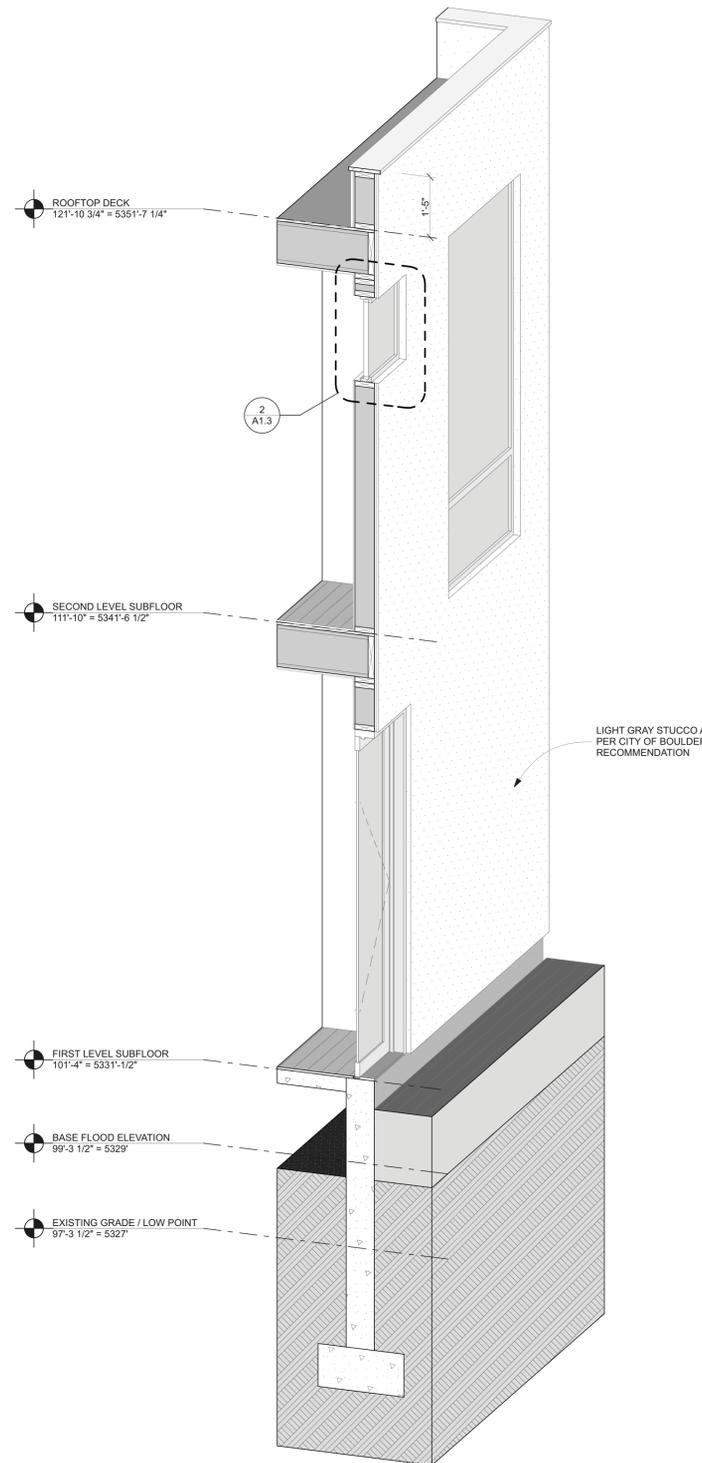
4 WEST ELEVATION
SCALE: 1/4" = 1'-0"

17TH STREET
1625 + 1627 17TH STREET

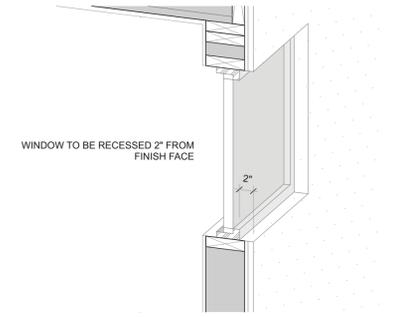
DATE: 4/8/16

DRAWN BY: GB
CHECKED BY: HH
PROJECT #: 368

WEST RESIDENCE ELEVATIONS



1 WALL SECTION
SCALE: 1/2" = 1'-0"



2 WINDOW DETAIL
SCALE: 1" = 1'-0"

17TH STREET
1625 + 1627 17TH STREET

DATE: 4/8/16

DRAWN BY: GB
CHECKED BY: HH
PROJECT # 368

**WALL SECTION
AND WINDOW
DETAIL**

Parcel Description

(PROVIDED BY FIDELITY NATIONAL TITLE COMPANY)
DEED RECORDED ON 10/2/2014 AT REC. NO. 3405902

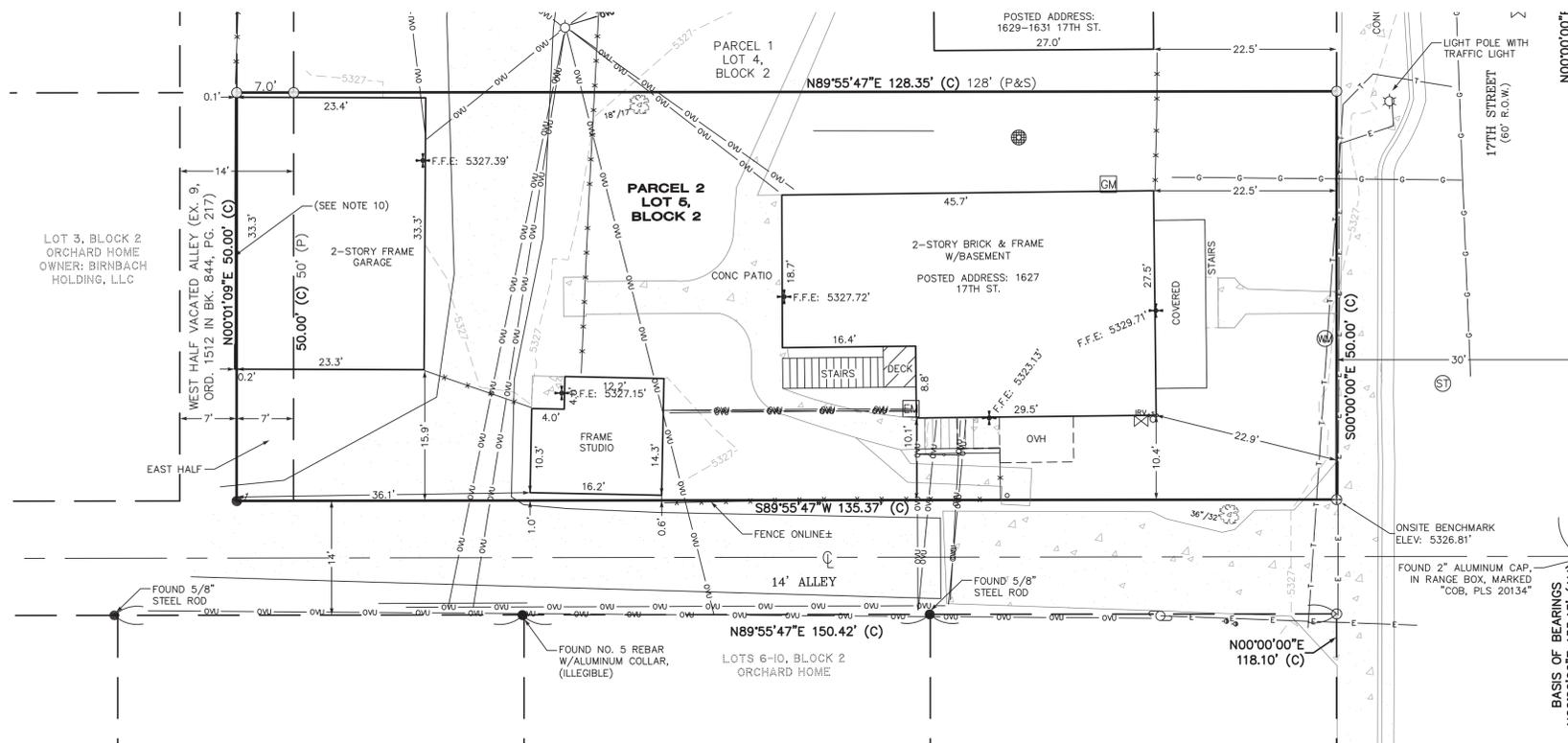
PARCEL 2:

LOT 5, BLOCK 2, ORCHARD HOME, COUNTY OF BOULDER, STATE OF COLORADO, TOGETHER WITH THAT PORTION OF THE VACATED ALLEY LYING EAST OF THE CENTER LINE AND ADJACENT TO THE WEST LINE OF SAID LOT 5, AS VACATED BY ORDINANCE NO. 1512 RECORDED MARCH 18, 1949 IN BOOK 844 AT PAGE 217, WHICH REVERTS TO SAID LOT 5 BY OPERATION OF LAW, COUNTY OF BOULDER, STATE OF COLORADO.

TOPOGRAPHIC EXHIBIT

A PORTION OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30,
TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M.,
CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 1 OF 1

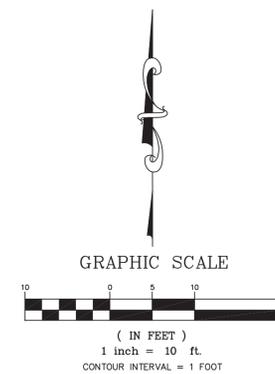


Legend

- FOUND MONUMENT AS DESCRIBED
- FOUND 18" #5 REBAR WITH 1 1/2" ALUMINUM CAP "FLATIRONS SURV 16406"
- ⊕ FOUND 3/4" BRASS TAG "FSI 16406"
- CALCULATED POSITION (NOT FOUND OR SET)
- (AM) AS MEASURED AT TIME OF SURVEY
- (C) CALCULATED FROM RECORD AND AS MEASURED INFORMATION
- (P) AS PER THE PLAT OF ORCHARD HOME
- (S) AS PER SANBORN SURVEY (BK. 60, PG. 43)
- (T) AS PER DESCRIPTION IN TITLE COMMITMENT (SEE NOTE 1)
- ⊗ DECIDUOUS TREE (TRUNK DIAMETER/D RIP LINE RADIUS)
- ▭ CONCRETE
- ▭ GRAVEL
- FENCE
- ⊗ WATER METER
- ⊗ WATER VALVE
- ⊗ WATER SHUT OFF
- ⊗ STORM SEWER MANHOLE
- ⊗ IRRIGATION VALVE
- ⊗ ELECTRIC METER
- TELEPHONE LINE
- GAS LINE
- ELECTRIC LINE
- ⊗ LIGHT POLE
- OVERHEAD UTILITY LINE
- UTILITY POLE
- ⊗ TELEPHONE RISER
- ⊗ GAS METER
- ⊗ UNIDENTIFIED MANHOLE
- CENTERLINE
- HANDRAIL
- ⊕ LOCATION OF FINISHED FLOOR
- METAL POST

Notes

- FIDELITY NATIONAL TITLE COMPANY COMMITMENT NUMBER 515-F0513474-170-RR0, AMENDMENT NO. 2, DATED AUGUST 21, 2015 AT 7:00 A.M., WAS ENTIRELY RELIED UPON FOR RECORDED INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS SURVEY. THE PROPERTY SHOWN AND DESCRIBED HEREON IS ALL OF THE PROPERTY DESCRIBED IN SAID TITLE COMMITMENT.
- ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS EXHIBIT WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS EXHIBIT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- THIS EXHIBIT WAS PREPARED FOR THE EXCLUSIVE USE OF LIVE GOSS GROVE LLC, 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 EXHIBIT IS VALID ONLY IF PRINT HAS SEAL AND SIGNATURE OF SURVEYOR.
- SOURCE INFORMATION FROM PLANS AND MARKINGS HAVE BEEN COMBINED WITH OBSERVED EVIDENCE OF UTILITIES TO DEVELOP A VIEW OF THOSE UNDERGROUND UTILITIES. HOWEVER LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY AND RELIABLY DEPICTED. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION MAY BE NECESSARY. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES AND STRUCTURES. 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.
- THE DISTANCE MEASUREMENTS SHOWN HEREON ARE U.S. SURVEY FOOT.
- THE CONTOURS REPRESENTED HEREON WERE INTERPOLATED BY AUTOCAD CIVIL 3D (DIGITAL TERRAIN MODELING) SOFTWARE BETWEEN ACTUAL MEASURED SPOT ELEVATIONS. DEPENDING ON THE DISTANCE FROM A MEASURED SPOT ELEVATION AND LOCAL VARIATIONS IN TOPOGRAPHY, THE CONTOUR SHOWN MAY NOT BE AN EXACT REPRESENTATION OF THE SITE TOPOGRAPHY. THE PURPOSE OF THIS TOPOGRAPHIC MAP IS FOR SITE EVALUATION AND TO SHOW SURFACE DRAINAGE FEATURES. ADDITIONAL TOPOGRAPHIC OBSERVATIONS MAY BE NECESSARY IN SPECIFIC AREAS OF DESIGN. TOPOGRAPHY SHOWN HEREON COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS.
- BENCHMARK INFORMATION: ELEVATIONS BASED ON CITY OF BOULDER POINT B-1, WITH A PUBLISHED ELEVATION OF 5330.66 FEET (NAVD88), BEING AN ALUMINUM CAP LOCATED AT THE INTERSECTION OF 17TH ST AND CANYON BLVD. AN ONSITE BENCHMARK WAS ESTABLISHED AT THE SOUTHEAST PROPERTY CORNER, BEING A 3/4" BRASS TAG WITH AN ELEVATION OF 5326.81 FEET.
- DATES OF FIELD WORK: APRIL 20, 2015 AND SEPTEMBER 9 & 16, 2015 (PREVIOUS FIELD WORK), MARCH 17, 2016 (CURRENT FIELD WORK)
- TWO STORY GARAGE EXTENDS ACROSS WEST PARCEL LINE AS SHOWN HEREON.
- BOUNDARY DETERMINATION IS NOT A PART OF THIS EXHIBIT. THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND AND THAT IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF A FENCE, BUILDING OR OTHER FUTURE IMPROVEMENT LINES.



Surveyor's Statement

I, JOHN B. GUYTON, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., TO LIVE GOSS GROVE LLC, THAT THIS TOPOGRAPHIC EXHIBIT WAS PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE; THAT SAID EXHIBIT AND THE RELATIVE ELEVATIONS SHOWN HEREON ARE ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

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

REVISION	DATE
1	
2	
3	
4	
5	
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10	

TOPOGRAPHIC EXHIBIT
PREPARED FOR
LIVE GOSS GROVE LLC
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Flatirons, Inc.
Surveying, Engineering & Geomatics
www.flatironsinc.com

3825 IRLS AVE, STE. 395 3660 DOWNING ST
BOULDER, CO 80501 UNIT E DENVER, CO 80205
PH: (303) 776-1733 PH: (303) 443-7001
FAX: (303) 776-4355 FAX: (303) 443-9830

JOB NUMBER:
16-67,224
DATE:
04-20-2016
DRAWN BY:
J. MCKIM
CHECKED BY:
SB

SHEET 1 OF 1

B:\SENNINK FILE\67224 TOPO PARCEL 2 ONLY.DWG DATE:4/21/2016 10:05 AM



LOT AREA DECLARATION FORM

(to be completed by a licensed surveyor, architect, or engineer)

Project Address: 1627 17th STREET

Legal Description: Lot 5, Block 2,
Orchard Home
City of Boulder

Lot Area: (in sq. ft.) 6,768sq. ft. more or less*

*CALCULATED FROM THE ALTA SURVEY RECORDED AS LS-16-0008 DATED 9-14-2015. AREA AS SHOWN HEREON IS A RESULTANT FACTOR, NOT A DETERMINATIVE FACTOR, AND MAY CHANGE SIGNIFICANTLY WITH MINOR VARIATIONS IN FIELD MEASUREMENTS OR THE SOFTWARE USED TO PERFORM THE CALCULATIONS. FOR THIS REASON, THE AREA IS SHOWN AS A "MORE OR LESS" FIGURE, AND IS NOT TO BE RELIED UPON AS AN ACCURATE FACTOR FOR REAL ESTATE SALES PURPOSES.

Declaration:

I, the undersigned, verify that I have calculated the lot area for the above mentioned parcel, and take full responsibility for the accuracy and completeness of the lot area represented above. I understand that incomplete or inaccurate information may result in significant delays in the issuance of a building permit, or the possible revocation of a building permit.

Print Name: John B. Guyton Title: (Surveyor, Architect, or Engineer) Surveyor

Company Name: Flatirons, Inc. Phone: 303-443-7001

Mailing Address: 3825 Iris Ave, Suite 395

City: Boulder State: CO Zip code: 80301

Signature: _____ Date: _____

Stamp or Seal Here:



WRITTEN STATEMENT
1627 17th Street, Boulder, CO 80302

1627 17th Street is a remarkable property in a wonderful, well-established, neighborhood. It is our intention to improve the function and look of the property and increase the quality of the Goss/Grove neighborhood. We are proposing to reduce the number of units from three legal nonconforming units with six bedrooms to two units with four bedrooms. We are converting an existing barn into two single car garages with driveway parking for two cars. Combining the reduction of units and added parking should reduce the traffic generated and on street parking requirements. The total square footage of the project is limited to 1.1 times the size of the existing structures. Since the structures we are removing are one story and we are replacing them with two story structures, the footprint of the buildings will be reduced providing more open space.

We met with the Goss / Grove Neighborhood Board and discussed their main desires and concerns. Keeping the existing Queen Anne house is very important to them as well as a keeping the mature tree located on the corner of the property next to the alley. The Board members do not want student rental properties or an increase in on-street parking. Reducing the number of units and bedrooms on the property was well received.

The existing property has three structures. The main Queen Anne house is 1,734 square feet and has two very low quality additions. Boulder Landmarks has approved the demolition of the two additions. The main house has been subdivided into two rental units. An upstairs two-bedroom unit is accessed by use of an exterior stair. The main level unit has three rooms that could be used as bedrooms, but it is difficult to know how it has been occupied. Located in the center of the property is a 227 square foot house that has been used as a rental unit. This structure is "pretty gross", has no redeeming values, and has been approved by landmarks for demolition. The structure is directly adjacent to the alley and does not meet setback requirements. At the rear of the lot is a barn. The barn is located on the alleyway and the front of the barn has been badly damaged by fire. The barn has an interior stair and a loft with 310 square feet of space with ceilings above 6 feet tall. Boulder Landmarks has approved the removal the burned front portion of the barn and the rear one story, lean to, portion of the barn. While there is no official parking on the site, it appears that previous residences parked in the back yard.

We propose to make the Queen Anne house back into a magnificent single-family residence. We will remove the two additions and add a much smaller two-story addition to the back of the house. The house, including new additions, will be 1,583 square feet. The exterior of the existing house is in pretty good shape and needs minor improvements such as making the porch more level. Deteriorated shingles on the dormers will be replaced and the entire house will be repainted. The house brick will be repainted with a color that matches a traditional brick color. The trim color will be a shade of white. It is very important to us that the house maintain its historic look.

We are also proposing a second residence between the Queen Anne house and the barn. This new house will be 1,305 square feet. The access to the house will be from 17th Street by a beautifully landscaped walkway. This house is modern in design, inspired by the modern Dental



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Office next door. The flat roof decreases the bulk of the house giving the house the proper scale of an alley house.

The barn will be converted into a two single space shared garage. The area where we are removing the burnt portion of the barn will be turned into a drive for the garages and can also be used for parking.

INFORMAL COMMENTS

We propose that the address of the East house be 1625 17th Street and the East house 1627 17th Street.

Any portion of the garage that projects beyond the property line will be removed with the permission of Landmarks.

CITY CODE CRITERIA CHECKLIST

9-2-15(E)(3) Compatibility: The location, size, design and operating characteristics of the proposed development or change to an existing development are such that the use will be reasonably compatible with and have minimal negative impact on the use of nearby properties...

1627 17th Street is located in an area with diverse building uses, sizes and styles. Within two properties to the North is a very modern drive up bank; across the street to the East are large modern multifamily buildings, next door to the West on the alley is a beautiful ultramodern dental office. Located not as close are a number of historic houses that are in various states of original condition. Much of this diversity is due to the history of the area and the current zoning. In 2012, the area was rezoned to its current zone district, Residential Mixed Use (RMX-1), which is defined as "mixed density residential areas with a variety of single-family, detached, duplexes, and multi-family units that will be maintained, and where existing structures may be renovated or rehabilitated," section 9-5-2(c)(1)(D), B.R.C. 1981. High density residential zoning (Residential - High 2) is located directly adjacent to the property to the north, west and east. 1627 17th Street is a property that is truly in a "mixed" location. Renovating the street front house to its historic glory and building a small modern alley house next to the modern Dental clinic will have no negative impact on the use of nearby properties.

9-2-15(E)(5) Character of Area: The use will not change the predominant character of the surrounding area or the character established by adopted design guidelines or plans for the area; and...

The predominant character of the area is much higher density than what we are proposing. Our project maintains the historic density of the site rather than bring it up to the higher density of the surrounding buildings. The Goss/Grove HOA has requested that the houses will not be rentals, particularly by students. By providing fewer bedrooms and bathrooms than permitted the houses will be better suited for ownership than rentals.

9-2-15(F)(1) Reasonable Measures Required: The applicant has undertaken all reasonable measures to reduce or alleviate the effects of the nonconformity upon the surrounding area, including, without limitation, objectionable conditions, glare, adverse visual impacts, noise



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pollution, air emissions, vehicular traffic, storage of equipment, materials and refuse, and on-street parking, so that the change will not adversely affect the surrounding area.

The small size of the buildings is best measure we have taken to prevent objectionable conditions. The windows of the existing house facing the street will not be modified. Vehicular traffic should be reduced because there will be fewer units and bedrooms than prior to the changes. Four off-street parking spaces should reduce the on street-parking load. A trash enclosure integrated into the architecture will lessen the trash can chaos that exists up and down the alley. The changes that are proposed will significantly improve the surrounding area and not create objectionable conditions.

Ah yes, this can be a very hard criterion to address. Obviously any property can be completely redeveloped to meet the zoning and use standards but that is not the intent of the nonconforming use review. I would recommend addressing each of the requirements cited separately. I included some notes below.

9-2-15(F)(2) Reduction in Nonconformity/Improvement of Appearance: The proposed change or expansion will either reduce the degree of nonconformity of the use or improve the physical appearance of the structure or the site without increasing the degree of nonconformity.

The property is nonconforming as to parking. The proposal will bring the property into compliance with the parking requirements of section 9-9-6, B.R.C. 1981. The existing alley house is directly on the alley not conforming to zoning setback requirements. We are proposing to reduce the number of units from three legal nonconforming units with six bedrooms to two units with four bedrooms. The physical appearance of the existing structures will be vastly improved and the appearance of the new alley house will be significantly better than the existing alley house.

9-2-15(F)(4) Cannot Reasonably Be Made Conforming: The existing building or lot cannot reasonably be utilized or made to conform to the requirements of chapter 9-6, "Use Standards," 9-7, "Form and Bulk Standards," 9-8, "Intensity Standards," or 9-9, "Development Standards," B.R.C. 1981.

9-6, "Use Standards,"

The existing use (duplex and detached dwelling unit) and proposed uses (detached dwelling units) are allowed uses in the RMX-1 zone district.

9-7, "Form and Bulk Standards,"

The historic home is located in required setbacks and compliance with the current development standards would necessitate the removal of a large portion of the existing building. It is not reasonable to remove portions of the historic structure to meet the form and bulk standards. The existing studio structure is located in the required side yard setback and will be removed. The proposed detached dwelling will be constructed to meet all form and bulk standards. The proposed FAR is 88% of the maximum allowed by code and the Lot Coverage is 96% of the maximum allowed by code.



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9-8, "Intensity Standards," or

The property is nonconforming as to density. In order to make the site conforming as to density, the applicant would have to demolish the existing studio and convert the historic structure to a single family home. While the proposal does not seek to eliminate the nonconforming status of the project site, it does seek to provide more affordable housing than a conforming project would provide. Two houses and two garages with a combined square footage of 3,320 square feet is more compatible with the surrounding neighborhood than a single family dwelling would be.

9-9, "Development Standards," B.R.C. 1981.

The property is nonconforming as to parking. The proposal will bring the property into compliance with the parking requirements of section 9-9-6, B.R.C. 1981.

In conclusion, we truly believe that all of the impacts this project will have on the neighborhood are positive. The proposal has fewer units than the current conditions, higher quality buildings and landscape, and on site parking. By building the second unit, we are making the two residences more affordable than if we had just one larger house. We do not believe that one multimillion dollar house would be in the best interest of the neighborhood. Goss / Grove is a middleclass neighborhood and Boulder would be best served if it stays this way.



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WRITTEN STATEMENT #2
1627 17th Street, Boulder, CO 80302

Asking the question if a certain building style is appropriate for a given location can have significant consequences. A conservative contextual approach may have prevented Boulder City Hall, the Boulder Theater, NCAR, many Charles Heartling houses and other quality building in Boulder from being built.

I had the good fortune of studying architecture for seven and one half years, practicing architecture for over thirty years and teaching architecture for four years. I received my Masters in Architecture from Harvard in 1981. This is significant because this was at the peak of the postmodern movement and historical context was the core concept of postmodern architectural design particularly at Harvard. I took nine semesters of architectural history and seven semesters of architectural theory that helped me to understand how context is tied to time and place.

1627 17th Street is in the RMX1 zone. A transition zone is very appropriate for this location because the site is centered between a variety of building types. Adjacent to the lot are residential and commercial uses; small single family houses and large multiunit complexes, and buildings from a variety of times in Boulder's short history. Stylistically there are an equal variety of styles represented within a few lots. Roger Easton's building to the West may be the best representation of modern Architecture in Boulder. This building recently won the 25 year award from the Colorado AIA North Chapter. Roger Easton also designed the multiunit buildings across 17th Street to the East. The "brutal" circular concrete drive up bank designed by Tom Zimmerman to the north while not aesthetically popular is historically significant. This is the best example of this style of architecture in Boulder. The historic house on the site is of excellent architectural quality and there are other equally significant historic houses in close proximity.

Mimicking an historic building with a new adjacent building creates confusion as to what is old and what is new. It also demeans the significance of the style of architecture and the context of when it was built. Sometimes contrast can accentuate the best of both styles. Victorian detailing spoke to the technology and social conditions of the time. The industrial revolution created a middle class and the Goss/Grove neighborhood is an excellent example of this up and coming social class. The invention of lathes and band saws that were affordable to use, spurred an aesthetic of "gingerbread" that gave Victorian architecture the cute look that we find so endearing. I believe that architecture should be of the time and location and that the clues to be taken from the context need to be deeper than style.



1701 15TH STREET, B
BOULDER CO 80302
303.444.8488

For “the design to be reasonably compatible with existing development”, it is most important for the ally house to be equal or smaller in scale to the existing house. Both houses are under 1,500 square feet. Both structure are two stories tall and have front porches. However, lifestyles and technology has changed in the past one hundred years and the houses differ in their relationship between the interiors and the outdoors. The Victorian house has small windows by todays standards and does not try to capture any of the views available. The existing house design was not site specific nor was it is designed to be energy efficient. The new house is custom designed for this location to take advantage of as many positive features the site has to offer. The roof top terrace is an amenity based on health and livability. At this height the deck will be above much of the dust and pollution that is abundant in this neighborhood. Being next to a dirt alley creates significant additional dust that is a significant health issue. The site and landscape design creates small, private gardens. This site concept is very similar to Victorian landscapes with “secret gardens” and stylized garden scenes.

The West residence addresses the context of the historic house by creating a dialog between new and old. Understanding through architecture what aspects of living have changed over time and which have not changed is intellectually enlightening. For example; stucco is popular today because it is a material with a low lifecycle cost and needs very little maintenance. This is in sharp contrast to a Victorian house that needs an abundance of maintenance (wood repair and painting). The proportionate cost of labor today is significantly higher than it was one hundred years ago. Denying stucco on buildings is denying representation of the times.

Our intent is to design and build a beautiful house that is of its place and time. While the building is small and located in an alley, it will be designed and detailed with skill and care.

Regarding the roof top railing on the south side of the4 building, it is not possible to raise the parapet due to bulk plane restraints. In lieu of raising the parapet we are moving the rail to the north so that it is less visible from the alley.

Neither house will be a rental unit and we prefer to let the buyers locate their bicycles where they see fit.



1701 15TH STREET, B
BOULDER CO 80302
303.444.8488

From: [15th Street Gallery](#)
To: [Walbert, Sloane](#)
Subject: 1627 17th Street
Date: Tuesday, February 16, 2016 1:00:26 PM
Attachments: [image001.png](#)

Dear Ms. Walbert,

As the owner of a commercial property at 1708 15th Street, we support the 1627 17th Street non-conforming use review application being submitted to the City of Boulder by HMM Architecture and Interiors. Their plan for restoration of this property and increasing the size of the 2nd home is well thought out and well designed and would be a positive change to our neighborhood.

Thank you,
Stephen Grant
President
15th Street Gallery



Phone: +1 (303) 447-2841
Email: contact@15thstreetgalleryboulder.com
Website: www.15thstreetgalleryboulder.com
Address: 1708 15th St., Boulder, CO, 80302

From: [Jim Crookston](#)
To: [Walbert, Sloane](#)
Subject: HMH Non-Conforming Use Review Application
Date: Tuesday, February 16, 2016 9:47:13 AM

Dear Ms. Walbert,

We are writing a letter in support of the 1627 17th Street Non-Conforming Use Review application being submitted to the city by HMH Architecture + Interiors.

As residents of the 15th Street Design District we support any improvements to our neighborhood including restoring this Victorian home. The second home is appropriate and adds additional housing in downtown Boulder.

We fully support HMH Architecture + Interiors in their effort to improve this property and to enhance our neighborhood and the greater community.

Sincerely,
Jim and Sue Crookston

Sent from my iPad

From: [Stephen Sparn](#)
To: [Walbert, Sloane](#)
Subject: I support 1627 17th
Date: Monday, February 15, 2016 5:01:31 PM
Attachments: [FDF34F3E-052C-477B-AE2D-6DB5F236F4B2\[1\].png](#)

February 16, 2016

Sloane Walbert
City of Boulder Planning & Development Services
P.O. Box 791
Boulder, Colorado 80306
walberts@bouldercolorado.gov

Hi Sloane,

I am writing in support of the 1627 17th Street Non-Conforming Use Review application being submitted to the city by HMH Architecture + Interiors. I have viewed the site and reviewed the drawings and feel this is a quality project. The FAR of the development is virtually the same that currently exists but provides a much needed improvement.

As a fellow resident business of the 15th Street Design District I support any well designed improvement to our neighborhood. I appreciate that the original Victorian home will be preserved with a well scaled second home added to the property. This is a quality infill project and will help to strengthen the downtown Boulder neighborhood fabric and will add much needed housing downtown.

I urge you and your colleagues to support this project for it will not only be good for this neighborhood but good for the community as a whole.

Sincerely,

Stephen

.....
Stephen Sparn, AIA
Principal



1731 15th Street | Suite 250 | Boulder, CO 80302
303 442 4422 x205 | www.sophersparn.com

From: [Sam Austin](#)
To: [Walbert, Sloane](#)
Subject: Support for 1627 16th St.
Date: Friday, February 12, 2016 10:21:41 AM
Attachments: [Letter for harvey.pdf](#)
[ATT00001.htm](#)

Hi Sloan,
I am very much in support of this project. Please see my official letter attached as a pdf.

February 11, 2016
Ms. Sloane Walbert
City of Boulder Planning & Development Services
P.O. Box 791
Boulder, Colorado 80306
walberts@bouldercolorado.gov

Dear Ms. Walbert:

It is my pleasure write a letter in support of the 1627 17th Street Non-Conforming Use Review application being submitted to the city by HMH Architecture + Interiors.

As a fellow resident business of the 15th Street Design District I support any well designed improvement to our neighborhood. I appreciate that the original Victorian home will be restored to it's original glory. The second home is very appropriate in scale and will add much needed housing in downtown Boulder.

In conclusion, I fully support the efforts of HMH Architecture + Interiors as they seek to welcome new neighbors and improve this blighted property. Any project that helps our neighborhood will benefit the community at large.

Sincerely,

Samuel Austin - Architect
Samuel Austin and Company Architects Inc.
1701 15th Street Unit A
Boulder Colorado 80302

From: [Emily Parker](#)
To: [Walbert, Sloane](#)
Subject: Letter of Support - 1627 17th Street
Date: Monday, February 15, 2016 5:31:51 PM

February 15, 2016
Ms. Sloane Walbert
City of Boulder Planning & Development Services
P.O. Box 791
Boulder, Colorado 80306
walberts@bouldercolorado.gov

Dear Ms. Walbert:

It is my pleasure write a letter in support of the 1627 17th Street Non-Conforming Use Review application being submitted to the city by HMM Architecture + Interiors.

As a fellow resident business of the 15th Street Design District I support any well designed improvement to our neighborhood. I appreciate that the original Victorian home will be restored to it's original glory. The second home is very appropriate in scale and will add much needed housing in downtown Boulder.

In conclusion, I fully support the efforts of HMM Architecture + Interiors as they seek to welcome new neighbors and improve this blighted property. Any project that helps our neighborhood will benefit the community at large.

Sincerely,

Emily Parker
MOSAIC ARCHITECTS + INTERIORS
1701 15th Street unit C | Boulder CO 80302
p. 303.247.1100 x.122 | f. 303.247.1101
www.mosaicarchitects.com
Vail | Boulder | San Francisco | Santa Barbara | Napa

From: [Rachel Lee](#)
To: [Walbert, Sloane](#)
Subject: In Support Of: 1627 17th Street
Date: Wednesday, February 17, 2016 11:23:14 AM

Dear Ms. Walbert,

I am writing on behalf of the proposed restoration and new construction at 1627 17th Street in relation to the current Non-Conforming Use Review Application that has been submitted to the City by HMM Architecture + Interiors.

I work as an Architect in the 15th Street design district and am very familiar with the deterioration of Historic houses in the Goss Grove Neighborhood as well as inappropriate and misused architecture and outbuildings. I feel strongly that we, as designers, city officials and community members living and working in the City of Boulder (I am also a resident of Boulder who owns a 1960's home in South Boulder), should seek to support projects which aim to be sensitive to historic restoration as well as projects which aim to improve and contribute to our neighborhood fabric.

To this end, please add me to this list of supports for this project. I hope its merits become clear to the reviewing parties and further enhance our diverse community.

Warmly,
Rachel Lee, Architect
Mosaic Architects + Interiors

--

[Rachel Lee](#) | Architect, AIA, NCARB

MOSAIC ARCHITECTS + INTERIORS

1701 15th Street, Suite C | Boulder CO 80302

p. [303.247.1100 ext. 112](tel:303.247.1100) | f. [303.247.1101](tel:303.247.1101)

www.mosaicarchitects.com

Vail | Boulder | San Francisco | Santa Barbara | Napa

From: [Michele Bishop](#)
To: [Walbert, Sloane](#)
Cc: ["Jeffrey Peacock"](#); ["Deb Crowell"](#); ["Rachael Trinklein"](#)
Subject: Nonconforming Use Review 1627 17th comments
Date: Wednesday, February 17, 2016 5:28:18 PM
Attachments: [Goss Grove Reponse to 1627 17th Street Review.pdf](#)

Sloane Walbert,

Attached is a letter from the Goss Grove Neighborhood Association (GGNA) in response to the Nonconforming Use Review application for 1627 17th Street.

Thank you for this opportunity for the neighborhood to provide input. Please feel free to call me with any comments or questions about GGNA and these comments.

Regards,

Michele Bishop
303-545-6283



February 15, 2016

Sloane Walbert
Case Manager
City of Boulder Planning & Development Services

RE: 1627 17th Street Nonconforming Use Review

Dear Sloane,

As representatives of the Goss Grove Neighborhood Association (GGNA) we would like to provide you with some comments on the proposed Nonconforming Use Review for 1627 17th St., the Rayback property. This neighborhood has long been involved in efforts to provide a safe, comfortable, quiet, friendly, and varied place to live. Some of that concern has focused on architectural compatibility in both scale and style of new and remodeled buildings that are proposed. The other major ongoing concern that would relate to this proposal has been the issues surrounding parking. Please note that this neighborhood has a parking district consisting of 2 hour non-permitted street parking. Most residents in this area do not have off-street parking so that the street parking is full most of the time. 1627 17th Street has room for 2 cars on the street along the frontage and there is no parking on the west side of 17th from there North to Canyon Blvd.

At a recent neighborhood meeting, 15 neighbors discussed and then prioritized their concerns with respect to the potential changes at the subject property. The results indicate the following priorities with respect to the property:

1. Architectural Style and the provision of Onsite Parking were the most important issues for this property followed closely by building Height.
2. The next cluster of concerns were in the categories of Compatibility with Surrounding Buildings and Historical Preservation along with the overall Building Mass.
3. Finally, there was a lot of discussion about the hoped for preservation of the large Hackberry tree that is located on the alley in the front yard of the historic home.

Thank you for the opportunity to comment on this Nonconforming Use Review for 1627 17th. The GGNA Board members are available to address any comments or questions you have.

Regards,

Jeffrey Peacock, Michele Bishop, Deb Crowell, Rachael Trinklein



From: [Jeffrey Peacock](#)
To: mbishop@indra.com; [Walbert, Sloane](#)
Cc: debcrowell@live.com; rachaeltrinklein@gmail.com
Subject: Re: Nonconforming Use Review 1627 17th comments
Date: Wednesday, February 17, 2016 6:33:10 PM

Nicely written. I'm still in Florida but back later this week. Hope the comment does some good. Jeffrey

Jeffrey Peacock
jeffrey.peacock@aol.com

-----Original Message-----

From: Michele Bishop <mbishop@indra.com>
To: walberts <walberts@bouldercolorado.gov>
Cc: 'Jeffrey Peacock' <jeffrey.peacock@aol.com>; 'Deb Crowell' <debcrowell@live.com>; 'Rachael Trinklein' <rachaeltrinklein@gmail.com>
Sent: Wed, Feb 17, 2016 5:28 pm
Subject: Nonconforming Use Review 1627 17th comments

Sloane Walbert,

Attached is a letter from the Goss Grove Neighborhood Association (GGNA) in response to the Nonconforming Use Review application for 1627 17th Street.

Thank you for this opportunity for the neighborhood to provide input. Please feel free to call me with any comments or questions about GGNA and these comments.

Regards,

Michele Bishop
303-545-6283

1701 15th Street
#204
Boulder, CO 80302

February 12, 2016
Ms. Sloane Walbert
City of Boulder Planning & Development Services
P.O. Box 791
Boulder, Colorado 80306

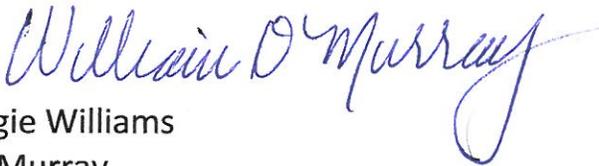
Dear Ms. Walbert,

We received the notice of an improvement to the property at 1627 17th Street, a couple blocks from our residence. We would like to register our enthusiasm for this project. The proposed project would significantly improve the appearance of the property and brighten the neighborhood.

We hope that the city will approve this project.

Thanks for your consideration.

Very truly yours,



Margie Williams
Will Murray



February 15, 2016

Ms. Sloane Walbert
City of Boulder Planning & Development Services
P.O. Box 791
Boulder, Colorado 80306

Dear Ms. Walbert:

It is my pleasure write a letter in support of the 1627 17th Street Non-Conforming Use Review application being submitted to the city by HMM Architecture + Interiors.

As a fellow resident business of the 15th Street Design District I support any well designed improvement to our neighborhood. I appreciate that the original Victorian home will be restored to its original glory. The second home is very appropriate in scale and will add much needed housing in downtown Boulder. This project will also provide amenities and improvements valuable to the neighborhood, such as landscaping and off-street parking.

In conclusion, I fully support the efforts of HMM Architecture + Interiors as they seek to welcome new neighbors and improve this blighted property. Any project that helps our neighborhood will benefit the community at large.

Sincerely,

Candice McGuire

TreeLine Homes, Inc.

1727 15th Street, Suite 100, Boulder, CO 80302 · Office 303.449.2371

www.treelineboulder.com

From: [Kirsten Frysinger](#)
To: [Walbert, Sloane](#)
Subject: Support for Non-Conforming Use Review
Date: Monday, February 29, 2016 10:04:11 AM

Dear Ms. Walbert:

I'm sending this email in support of the 1627 17th Street Non-Conforming Use Review application being submitted to the city by HMH Architecture + Interiors. Mark Bloomfield, Principal at Sustainably Built, also supports this.

As a fellow resident business of the 15th Street Design District I support any well designed improvement to our neighborhood. I appreciate that the original Victorian home will be restored to it's original glory. The second home is very appropriate in scale and will add much needed housing in downtown Boulder.

In conclusion, both Mark and I fully support the efforts of HMH Architecture + Interiors as they seek to welcome new neighbors and improve this blighted property. Any project that helps our neighborhood will benefit the community at large.

Best Regards,

Kirsten Frysinger
Office Manager & Project Manager
Sustainably Built, LLC
kirsten@sustainablybuilt.com
303-447-0237 x107