

Board of Adjustment

Agenda

March 15, 2023

City Hall, Spruce Conference Room

749 Main Street

5:30 PM

Members of the public are welcome to attend and give comments remotely; however, the in-person meeting may continue even if technology issues prevent remote participation.

- *You can call in to + 1 346 248 7799
Webinar ID # 810 7350 9524, Passcode: 969190*
- *You can log in via your computer. Please visit the City's website here to link to the meeting: www.louisvilleco.gov/boa*

The Board will accommodate public comments during the meeting. Anyone may also email comments to the Board prior to the meeting at Planning@LouisvilleCO.gov.

1. Board of Adjustment Open Government Training – 5:30 PM
2. Call to Order – 6:30 PM
3. Roll Call
4. Approval of Agenda
5. Approval of Minutes – February 15, 2023
6. Public Comments on Items Not on the Agenda
7. Regular Items
 - a) **301 Pine Street – Variance Request** – Request for a variance from the Residential Low Density (R-L) minimum front setback (McKinley Avenue) of 22 feet to allow a 96 square foot addition with a 13 foot, 10 inch front setback at 301 Pine Street.

Persons planning to attend the meeting who need sign language interpretation, translation services, assisted listening systems, Braille, taped material, or special transportation, should contact the City Clerk's Office at 303 335-4536 or MeredythM@LouisvilleCO.gov. A forty-eight-hour notice is requested.

Si requiere una copia en español de esta publicación o necesita un intérprete durante la reunión, por favor llame a la Ciudad al 303.335.4536 o 303.335.4574.

City of Louisville

Community Development 749 Main Street Louisville CO 80027
303.335.4592 (phone) www.LouisvilleCO.gov

VAR-000451-2023 – Public Hearing

- Applicant: Buffy Andrews, Andrews Design Studio, LLC
 - Case Manager: Amelia Brackett Hogstad, Historic Preservation Planner
 - ✓ Open Public Hearing
 - ✓ Opening Statement by Chair
 - ✓ Public Notice and Application Certification
 - ✓ Disclosures
 - ✓ Staff Presentation and Questions of staff
 - ✓ Applicant Presentation and Questions of applicant
 - ✓ Public Comment
 - ✓ Applicant discussion of public comment, if any
 - ✓ Closing statement by staff and applicant and Final questions by board
 - ✓ Close public hearing
 - ✓ Board discussion
 - ✓ Board action
8. Staff Comments
 9. Board Comments
 10. Items Tentatively Scheduled for the Meeting on April 19, 2023
 11. Adjourn

Board of Adjustment

Meeting Minutes

February 15, 2023

Electronic Meeting Due to Inclement Weather

6:30 PM

Call to Order – Chairperson **Nakari** called the meeting to order at 6:30 PM.

Roll Call was taken and the following members were present:

Board Members Present:

Chair Scott Berger
Vice Chair Matt Nakari
Joel Hawksley
James Stuart
Sherry Sommer
Karen Cooper

Board Members Absent:

Staff Members Present:

Lisa Ritchie, Planning Manager
Ellie Hassan, Planner II

Election of Officers – Chair and Vice Chair

Nakari and Hawksley moves and Stuart seconds a motion to nominate Berger as Chair and Nakari as Vice Chair. Motion passes unanimously by a voice vote.

Approval of Agenda

The agenda was approved by all members.

Approval of Minutes

The minutes from the September 21, 2022 meeting were approved as written by all members present at that meeting.

Public Comments

None is heard.

Regular Items

- A. **245 W Sycamore Lane – Variance Request** – A request for a variance from the required minimum side setback to allow a 7 square foot portion

of a bay window to encroach up to 3-feet 2-inches into the required five-foot side yard setbacks.

Applicant: Andy Johnson, DAJ Design

Case Manager: Ellie Hassan, Planner II

Berger reviews the procedures for the meeting; opens the public hearing; and states there are six criteria, which must be met for the board to approve a variance request.

Berger states that for the requested variance to be approved, five (5) votes will be needed to be affirmative.

Hassan verifies the application to be heard this evening is complete, and was mailed to the surrounding property owners on January 31, 2023, published in the Boulder Daily Camera on January 29, 2023, and the property was posted on January 31, 2023.

Stuart moves and **Hawksley** seconds a motion that confirms that all requirements have been satisfied and the application submitted by the applicant has been properly filed. Motion passes unanimously by a voice vote.

Berger asks if anyone at the hearing has any objections to the hearing procedures she described and asks if there were any other preliminary matters that needed to be taken care of. None is heard.

Staff Presentation:

Hassan begins her presentation by reviewing an aerial image of the property. The property is located on an interior lot along Sycamore Lane in the Sundance neighborhood. It is located in the Sundance PUD and Sundance Subdivision, both of which were approved by the City in 1981. The PUD originally proposed development of duplex houses, and was changed to single family later on. The original home was built in 1984. The interior side setback is 5ft.

The applicant is proposing a renovation of the existing home, which includes a rebuild of the existing bay window. The existing and proposed bay window encroach 3ft-2in east and 2ft-1.5in south into the 5ft. side-yard setback area along the bend in the L-shaped lot. The rebuilt bay window will maintain the same footprint at the same location as the existing window. The rebuilt bay window includes a new roof and wall structure, which is a structural alteration that requires a variance to remain in the same nonconforming location. Staff found no documentation of variance approvals for homes with non-conforming bay windows. It's theorized that staff may not have considered bay windows or overhangs as structures that need to meet side yard setbacks in the past, resulting in encroachments.

She concludes her presentation by reviewing the six-variance criteria. The following indicates staff's analysis of each criteria:

Criteria 1 - Criterion Met

- Staff Recommendation
 - Staff finds the lot is an irregular shape and the existing location of the home is a unique physical circumstance. The L-shaped lots in Sundance were originally designed for paired homes and are more restrictive in developing single-family dwelling units. The bend in the “L” creates a constrained location in the side yard area and provides limited areas for a bay window to be rebuilt.

Criteria 2 - Criterion Met

- Staff Recommendation
 - Staff finds that the Sundance neighborhood has unique conditions not seen in other R-E zoned districts. The neighborhood has unusual “L” lot shapes, combined with developer-installed bay windows near or encroaching into side yard setbacks. It is unusual for this district to have L shaped lots and the lots are undersized. The developer-installed bay windows are also not commonly seen this close to side yard setbacks in other neighborhoods.

Criteria 3 - Criterion Met

- Staff Recommendation
 - Staff finds that the combination of the shallower lot line, unusual front lot line shape, and below average lot area create a physical circumstance that cannot reasonably be developed to have a bay window in the footprint without encroachment into the side lot line. Staff therefore finds the proposal meets this criterion.

Criteria 4 - Criterion Met

- Staff Recommendation
 - The original developer constructed the existing house with the bay window in 1984, meaning the hardship was not caused by the current property owner.
 - The City might have once considered the internal lot line between the paired lots to not have a 5-foot setback based on the original intent for duplexes. However, staff finds that the current PUD is unambiguous on the side-yard setback requirement and a variance is required.

Criteria 5 - Criterion Met

- Staff Recommendation
 - Staff finds that the proposal would not alter the essential character of the neighborhood. The rebuilt bay window will be the same footprint as the original window with minor changes to the windows and roof. The bay window structure is found on most homes in the development and is part of the overall neighborhood character.

Criteria 6 - Criterion Met

- Staff Recommendation
 - The rebuilt bay window has the minimum encroachment needed for a usable space and follows the same footprint as the original bay window.

Staff Recommendation:

Staff finds that all six criteria in Municipal code Section 17.48.110 are met and recommends approval with no conditions.

Board Questions of Staff:

None is heard.

Applicant Presentation:

Andy Johnson, DAJ Design

Johnson says this is an odd shaped lot. He shows a photo of the front of the house and describes the current design of the house. He reviews the site plan and the front elevation. He then shows what the main level footprint looks like and what is being proposed.

Board Questions of Applicant:

None is heard.

Public Comment

None is heard.

Discussion by Board:

Stuart moves and **Nakari** seconds a motion to approve a variance from the required minimum side setback to allow a 7 square foot portion of a bay window to encroach up to 3-feet 2-inches into the required five-foot side yard setbacks. Motion passes unanimously by a roll call vote.

Discussion Items

Approval of 2023 Posting Locations

Hassan tells the board the following posting locations.

- a. City Hall, 749 Main Street
- b. Library, 951 Spruce Street
- c. Recreation/Senior Center, 900 Via Appia
- d. Police Department/Municipal Court, 992 Via Appia
- e. City Web Site, www.LouisvilleCO.gov

Stuart moves and **Hawksley** seconds a motion to approve the above posting locations. Motion passes unanimously by a voice vote.

2023 Meeting Dates

Hassan mentions that the 2023 meeting dates are in the meeting packet for the board to review and confirm that this year's meeting dates work for them.

Cooper moves and **Hawksley** seconds a motion to approve the 2023 meeting dates as mentioned in the packet. Motion passes unanimously by a voice vote.

2023 Open Government & Ethics Pamphlet

Hassan points out that in the meeting packet, the 2023 edition of the open government and ethics pamphlet is available for the commissions.

Staff Comments

None is heard.

Board Comments

None is heard.

Items Tentatively Scheduled for the Meeting on March 15, 2023

- a) 301 Pine St – Reapplying for variance (expired)
- b) Open Government Training

Adjourn

The meeting was adjourned at 7:02 PM.

**CITY OF LOUISVILLE
BOARD OF ADJUSTMENT
STAFF REPORT**
March 15, 2023

APPLICANT: Buffy Andrews, Andrews Design Studio, LLC
4949 N. Broadway
Boulder, CO 80304

OWNER: Eugene Henderson, Oatmeal Investments LLC
301 Pine Street
Louisville, CO 80027

STAFF PLANNER: Amelia Brackett Hogstad, Historic Preservation Planner

LOCATION: 301 Pine Street
Lot 12-14, Block 8, Louisville Heights

ZONING: Residential Low Density (R-L)
Old Town Overlay

REQUEST: **Case #VAR-0451-2023** – Request for a variance from the Residential Low Density (R-L) minimum front setback (McKinley Avenue) of 22 feet to allow a 96 square foot addition with a 13 foot, 10 inch front setback at 301 Pine Street.



SUMMARY:

The applicant requests approval of a variance from the Residential Low Density (R-L) zone district and Old Town Overlay front setbacks to allow construction of 96 square foot addition with a front setback of approximately 13' 10" (see Attachment 2 for application materials).

BACKGROUND:

The Board of Adjustment (BOA) reviewed this application on February 16, 2022 and approved the variance request (see attached for minutes from that meeting). However, no permits were applied for under the variance approval and the variance approval expired. The request and application documents are the same as the initial case.

The property is located on a corner lot at the intersection of McKinley Avenue and Pine Street and is part of the Louisville Heights Subdivision, which the City approved in 1904. The Old Town Overlay and the Residential Low Density Zone District (R-L) regulate zoning for the property.

The primary structure was built in 1907. As with many structures and lots in the Old Town Overlay, the property has nonconforming setbacks. The structure was built with its front elevation facing south, toward Pine Street. However, the Louisville Municipal Code (LMC) defines front lot line for a corner lot in Section 17.08.295:

Front lot line means the property line dividing a lot from the right-of-way of the street. For a corner lot, the shortest street right-of-way line shall be considered as the front line.

Therefore, the front lot line for the subject property is McKinley Avenue, making the existing front setback for the primary structure 12' 6", as shown in the figure below.

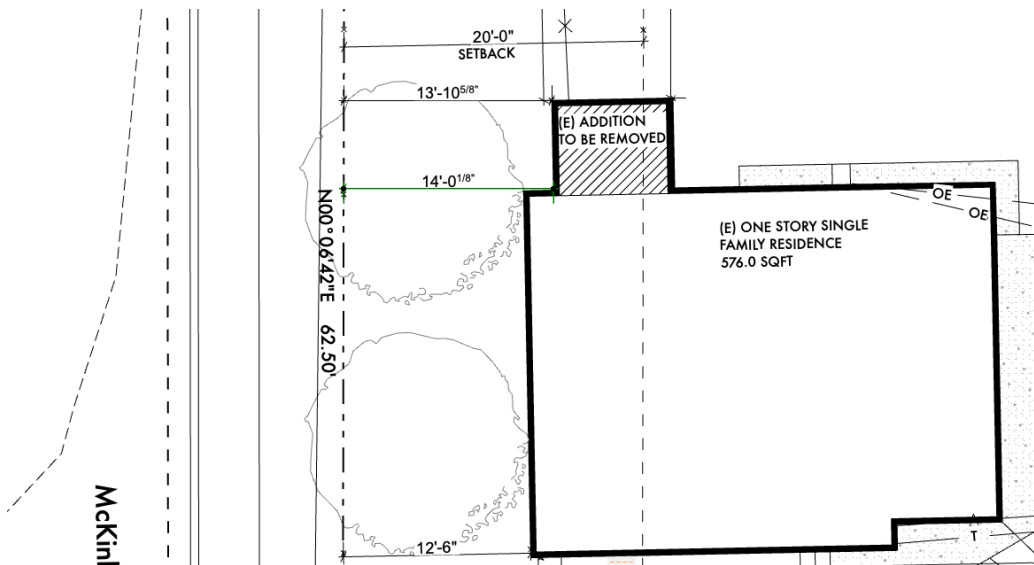


Figure 1: Existing Site Conditions

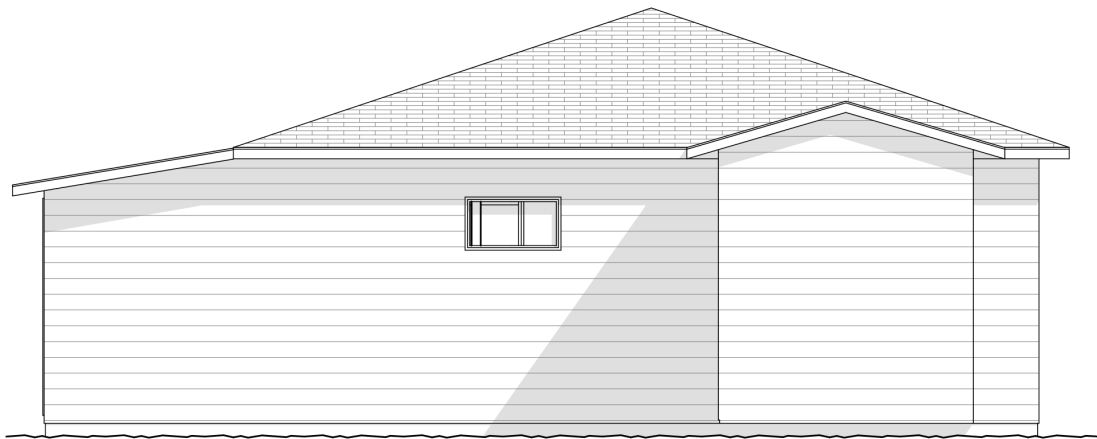
In the Old Town Overlay, the setbacks are contingent upon the width of the lot itself. The subject property has a lot width of approximately 62.5 feet. Therefore, the setbacks are as follows:

Front Yard Setback:	Min. 20' (unless reduced per 17.16.080)/Max. 25'
Street Side Yard Setback:	15' Principal Structure/15' Accessory Structure
Interior Side Yard Setback:	7' Principal Structure/3' Accessory Structure
Rear Yard Setback:	25' Principal Structure/Accessory Structure dependent upon notes in Section 17.12.050(L)2.

While the Old Town Overlay does allow for exceptions to front and side setbacks in Section [17.12.050\(K\)](#), the existing property is non-confirming in its overall setbacks and therefore any addition would constitute an expansion of a non-conformity.

PROPOSAL:

The requested variance would allow the construction of a new 96 square-foot addition on the north side of the primary structure, replacing an existing 48 square-foot addition in the same place. The addition mostly follows the existing north addition footprint, except that the proposal expands the addition six more feet to the east (toward the interior/rear of the lot). The existing addition is eight feet by six feet and the proposed addition is eight feet by twelve feet. The existing addition is approximately setback thirteen feet, 10 inches.



9
A201

North Elevation - Existing

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

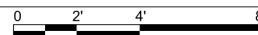


Figure 2: Existing Elevation with existing addition



Figure 3: Proposed Elevation with proposed addition

REVIEW CRITERIA:

The Board of Adjustment has authority to grant or deny a variance request based on the review criteria found in Municipal Code Sections 17.48.110.B.1-6. The following are staff’s analysis of the criteria with recommended findings on each.

1. *That there are unique physical circumstances or conditions such as irregularity, narrowness or shallowness of lot, or exceptional topographical or other physical conditions peculiar to the affected property.*

Staff finds the existing primary residence’s building footprint is at an unusual orientation relative to the shape of the lot as it relates to the definition of front lot line. While the lot is a relatively conforming shape and size for the R-L zoning district, the residence was built over 100 years ago facing south toward Pine, rather than facing west toward McKinley. Based on our current code definitions, McKinley is the front lot line. Because the addition would be expanding to the east rather than the west, and because the primary structure has been oriented in its current configuration since 1907, staff is supportive of the request. **Staff finds the proposal meets this criterion.**

#19799

REAL ESTATE APPRAISAL CARD...URBAN MASTER INDEX

LEGAL DESCRIPTION: 12-13- & S $\frac{1}{2}$ of 14
 SUB-DIVISION OR ADDITION: 8
 SECTION: TWP. 14
 CITY: LOUISVILLE HEIGHTS

BOOK NO. 401 STREET: Cedar CITY: LOUISVILLE

OWNER'S NAME AND ADDRESS:
Olive L. Smith
Richard & Shirley Robinson
 JOHN & ELIZ J. BINKS, LOUISVILLE

CHANGES IN OWNERSHIP:
John & Elizabeth Binks

NAME	ADDRESS	DATE	VOLUME	PAGE	TYPE	REMARKS

TAXING DISTRICTS: CITY: SCHOOL: FIRE: SANITARY: OTHER:

LOT OR ACREAGE DESCRIPTION				LAN	
ZONING	STREET OR ROAD	IMPROVEMENTS	TOPOGRAPHY	SIZE OF ACRES	NO. PLS.
RESIDENTIAL <input checked="" type="checkbox"/>	PAVED <input checked="" type="checkbox"/>	SIDEWALK <input checked="" type="checkbox"/>	LEVEL <input checked="" type="checkbox"/>		
APARTMENT <input type="checkbox"/>	HARD SURFACE <input type="checkbox"/>	CURB <input type="checkbox"/>	HIGH <input type="checkbox"/>		
COMMERCIAL <input type="checkbox"/>	DILKED <input type="checkbox"/>	DRIVEWAY <input type="checkbox"/>	STEEP <input type="checkbox"/>		
LIGHT INDUSTRIAL <input type="checkbox"/>	GRAVEL OR STONE <input type="checkbox"/>	CITY WATER <input checked="" type="checkbox"/>	SOIL <input type="checkbox"/>		
HEAVY INDUSTRIAL <input type="checkbox"/>	UNIMPROVED <input type="checkbox"/>	SEWER <input type="checkbox"/>	LOW <input type="checkbox"/>		
	CONDITION: <input type="checkbox"/>	ELECTR. <input checked="" type="checkbox"/>	SLIP-S. <input type="checkbox"/>		
REGULAR LOT <input checked="" type="checkbox"/>	GOOD <input checked="" type="checkbox"/>	ELECTR. <input checked="" type="checkbox"/>	HILLY <input type="checkbox"/>	NET ADDITION	%
SIZE <input checked="" type="checkbox"/>	AVERAGE <input type="checkbox"/>	OAK <input type="checkbox"/>	ROCK <input type="checkbox"/>	NET DEDUCTIONS	%
IRREGULAR LOT SIZE <input checked="" type="checkbox"/>	POOR <input type="checkbox"/>	PAVED ALLEY <input type="checkbox"/>			

SPECIAL LAND NOTES: *Interior greatly remodelled -
 2 1/2 baths - 20' deep*

REASON OF ADDITIONS OR DEDUCTIONS:



Figure 3: Circa 1948 Boulder County Assessor Card showing historic conditions

2. *That the unusual circumstances or conditions do not exist throughout the neighborhood or district in which the property is located.*

The majority of existing residences surrounding the property have their designed front elevation facing the code-defined front lot line. Similar to the subject property, many of the surrounding homes were also built in the early 1900s. (Figure 4 below has highlighted in yellow the surrounding homes that have a designed front elevation facing their code-defined front lot line.) **Staff finds the proposal meets this criterion.**

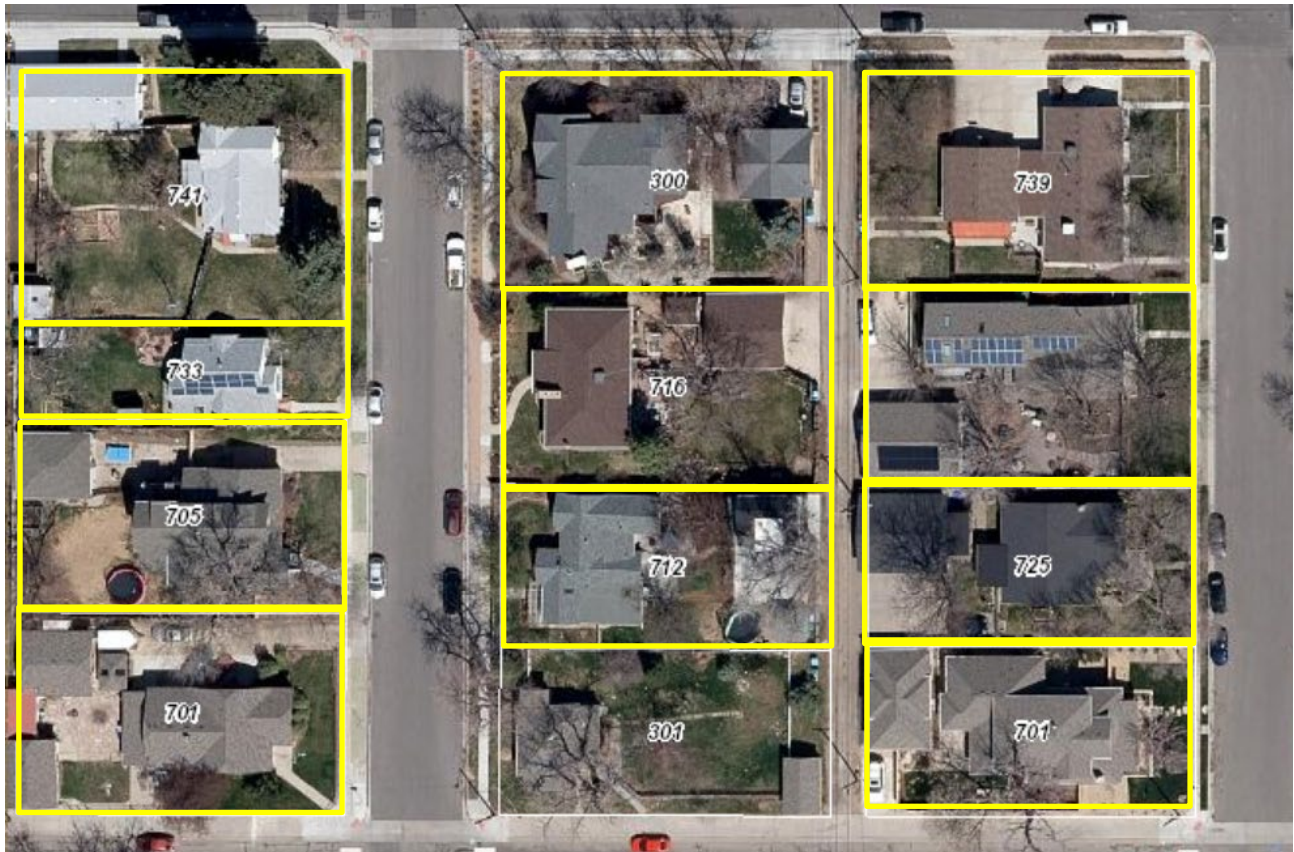


Figure 4: Sample of Standard Structure Orientations

3. *That because of such physical circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of Title 17 of the Louisville Municipal Code.*

In order to conform to required building setbacks, the entire existing structure would have to be moved roughly eight feet to the east. The house was built in 1907 and has been situated with its designed front elevation facing south toward Pine since it was first constructed. Even if the applicant proposed the addition on another elevation of the subject property, it would still be considered an expansion of a non-conformity as the house itself has non-confirming front setbacks. **Staff finds the proposal meets this criterion.**

4. *That such unnecessary hardship has not been created by the applicant.*

The existing nonconforming setback dates from 1907 and is not the result of any actions by the applicant. **Staff finds the proposal meets this criterion.**

5. *That the variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property.*

Staff finds that the proposal would not alter the essential character of the neighborhood. The proposed addition is behind an existing addition on the north elevation of the property. The house has stood on the corner of McKinley and Pine facing south since it was constructed in 1907. **Staff finds the proposal meets this criterion.**

6. *That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the provisions of Title 17 of the Louisville Municipal Code that is in question.*

The applicant is proposing to rebuild an addition and add 48 square-feet to the total lot coverage. Staff finds that by approving this variation request, it would bring the entire front setback into conformance. **Staff finds the proposal meets this criterion.**

PUBLIC COMMENTS:

No public comments as of the time of the report.

STAFF RECOMMENDATION:

Staff finds the proposal meets the applicable variance criteria in Section 17.48.110 of the LMC, and therefore, recommend approval of the variance request.

BOARD ACTION:

The Board may approve (with or without condition or modification), deny, or continue the application to a future meeting for additional consideration. The Board may also request additional information if they feel it is needed for their proper consideration of the variance application. In approving an application, the Board must find that all six variance criteria, insofar as applicable, have been met. The Board should adopt specific findings for each review criterion in support of any motion.

ATTACHMENTS:

1. Application Materials
2. Board of Adjustment minutes from February 16, 2022

Henderson Residence

301 Pine Street, Louisville, CO 80027

Dodd — Studio

Architecture +
Community Design

303.827.5186
buffy@dodd-studio.com

Henderson
Residence

301 Pine Street
Louisville, CO 80027

Project Number: 1907

Drawings and Specifications as instruments of service are and shall remain the property of the Architect. They are not to be used on extensions of the project or other projects, except by agreement in writing and appropriate compensation to the Architect.

The General Contractor is responsible for confirming and correlating dimensions at the job site. The Architect will not be responsible for construction means, methods, techniques, sequences, or procedures, or for safety precautions and programs in connection with the project.

© Dodd-Studio



PROJECT TEAM

ARCHITECT:
Dodd Studio
1301 Walnut St. 101
Boulder, CO 80302
p. 303.827.5186
Buffy Andrews

OWNER/GENERAL CONTRACTOR:
Eugene Henderson
301 Pine Street
Louisville, CO 80027
p. 303-885-0660

STRUCTURAL:
Glenn Frank Engineering, Inc.
2400 Central Ave. A-1 South
Boulder, CO 80301
p. 303.554.9591
Jesse@gfrankeng.com
Jesse

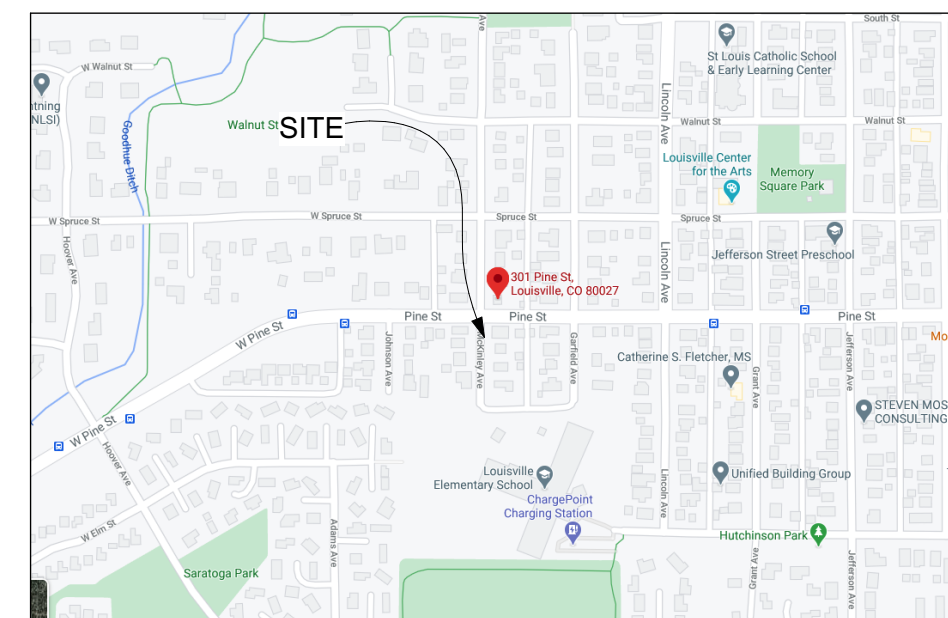
SHEET INDEX

A001	Cover Sheet and Site Plan
A002	ISP/Existing Site Plan
Plans	
A101	Main Level Plan-Existing and Proposed
Elevations	
A201	Elevations
Sections	
A301	Sections
Electrical	
E001	Electrical Main Level Plan
Structural	
S1	Structural Foundation and Main Level Framing Plan

GENERAL NOTES

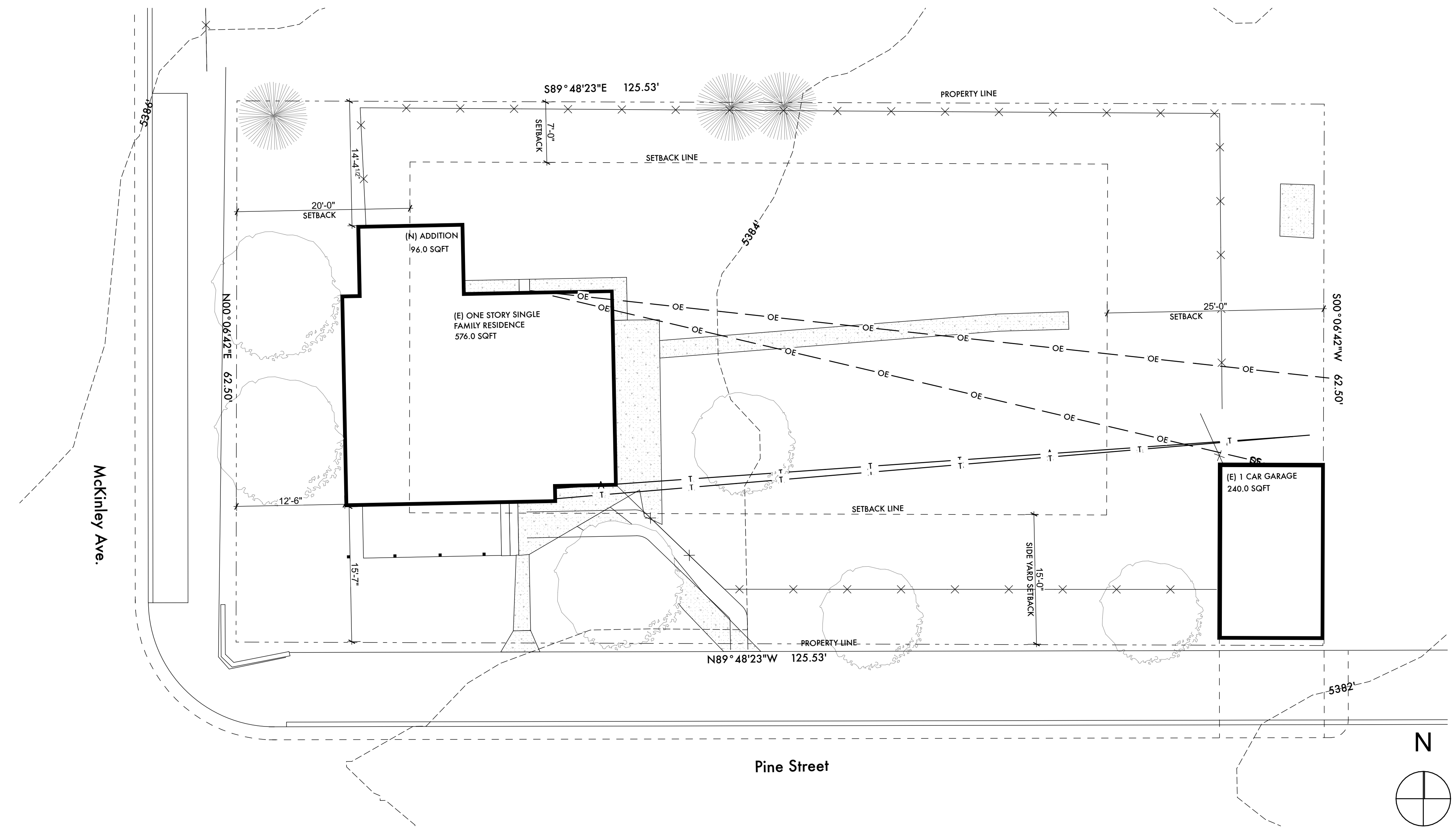
- Contractor and subcontractors shall perform a site inspection to become familiar with existing conditions prior to submitting a bid for the Work.
- Contractor shall be responsible for issuing complete sets of Contract Documents to all subcontractors invited to bid on the project. Subcontractors shall be responsible for reviewing & complying with all information contained in the Contract Documents. Additional costs resulting from deviating from the aforementioned policy shall not be approved.
- Contractor shall review the Contract Documents and the existing conditions and shall notify the Owner and Architect of any discrepancies and/or conflicts in information contained in the Contract Documents, or between the Contract Documents and existing conditions, as well as any other conflicts which would impact performing the Work identified in the Contract Documents, and shall request clarification from the Architect prior to proceeding with the Work. Neither the Architect nor the Owner shall be responsible for additional costs or for correction of Work in place due to the contractor deviating from the aforementioned policy.
- Contractor shall be responsible for requesting interpretations of the Contract Documents from the Architect prior to proceeding with the Work. The Architect shall render interpretations of the Contract Documents necessary for the proper execution or progress of the work. Interpretations and decisions by the Architect will be consistent with and reasonably inferable from the Contract Documents. Neither the Architect nor the Owner shall be responsible for additional costs or correction of work rejected as a result of the contractor deviating from the aforementioned policy.
- Do not scale drawings to determine dimensions. Written dimensions govern: large scale details govern over small scale details. Discrepancies in dimensions shown on the various Contract Documents shall be brought to the Architect's attention for clarification prior to proceeding with the work.
- Contractor shall be responsible for executing work in conformance with all applicable building codes and regulatory agency requirements. Contractor shall schedule all inspections required by local regulatory agencies and provide Owner with written documentation that all required inspections have been successfully completed.
- Contractor shall verify that all materials, finishes, equipment, etc., are approved for installation as shown on the drawings by local regulatory agencies prior to purchasing.
- Contractor shall verify that all materials, equipment, fixtures etc. will fit through existing or new doorways, stairs, corridors, elevators, etc., prior to purchasing or fabricating. Provide protective coverings and padding as required to protect existing materials and finishes during periods of material / equipment deliveries.
- Contractor shall perform high quality professional work. All materials shall be joined to uniform, straight lines, free of seams, gaps, or overlaps. All work shall be installed appropriately plumb, level, and at right angles to or flush with adjoining work. The work of each trade shall meet or exceed all quality standards recognized by that trade.
- Contractor shall be responsible for protecting newly installed and existing finishes, and shall contain dust, dirt, and debris within the area under construction. Provide barricades and/or dust barriers as appropriate and/or as shown on the drawings.
- Contractor shall be responsible for maintaining building security and protecting the existing structures and contents at all times during the course of construction.
- It is to be understood by the Contractor that in accordance with industry practice, it is probable that all specific field conditions are not detailed in the Contract Documents. In the event of these occurrences, the Contractor shall submit his proposal for details in accordance with recognized industry standards and governing codes, and consistent with the design intent of the Contract Documents, for review by the Architect and his Consultants. The Architect and his Consultants shall not be responsible for additional costs associated with the aforementioned policy.
- It is to be understood by the Contractor that exact locations of all items of Work (i.e., receptacles, J-boxes, etc.) may not be shown specifically on the drawings. The Contractor shall diligently review the documents prior to construction and shall bring to the Architect's attention for clarification all oversight and discrepancies.
- Any widening of studs or furring required to enclose concealed work shall be done at no additional expense to the Owner.
- Any cutting and patching required for execution of the work identified in the Contract Documents shall be done at no additional expense to the Owner.
- Neither the Architect nor the Owner shall be responsible for, or have control or charge of construction means, methods, techniques, sequences, procedures, or for safety precautions in connection with the Work.
- The intent of these Contract Documents is to include all necessary items required for the proper execution of the Work by the Contractor. The Contractor shall provide a complete project with complete working systems unless specifically noted otherwise in the documents. Should anything be omitted in these documents, the Contractor shall not avail himself of such manifestly unintentional error or omission but shall have same qualified or adjusted by the Architect prior to executing the Owner/Contractor Agreement for construction.

VICINITY MAP

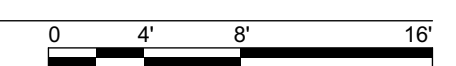


LEGAL DESCRIPTION

LEGAL DESCRIPTION:
LOTS 12-13 & S1/2 LOT 14 BLK 8 LOUISVILLE HEIGHTS
County of Boulder, State of Colorado



1
A001 Site Plan - Proposed
SCALE: 1/8" = 1'-0"



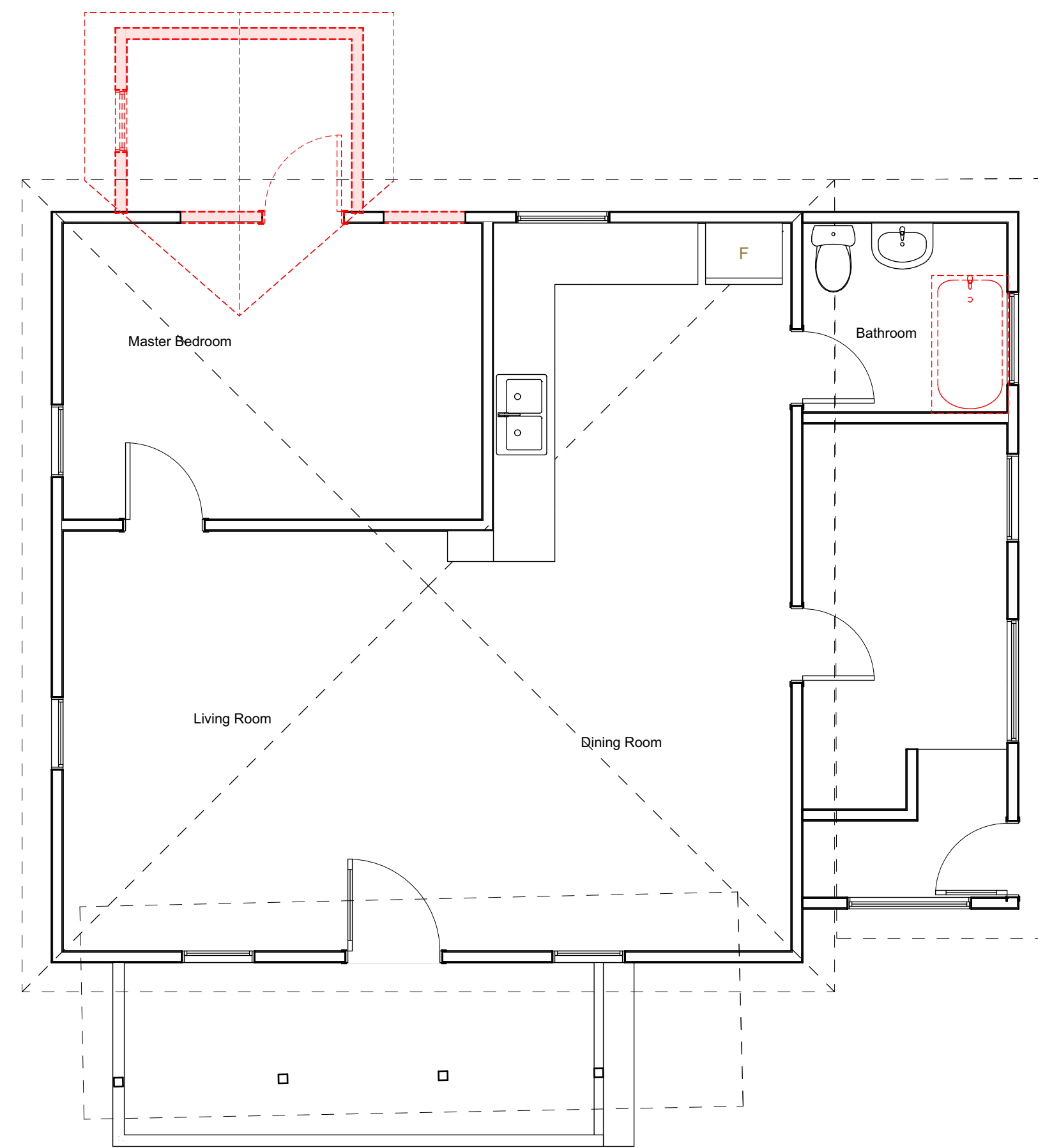
Building Permit

ISSUED:

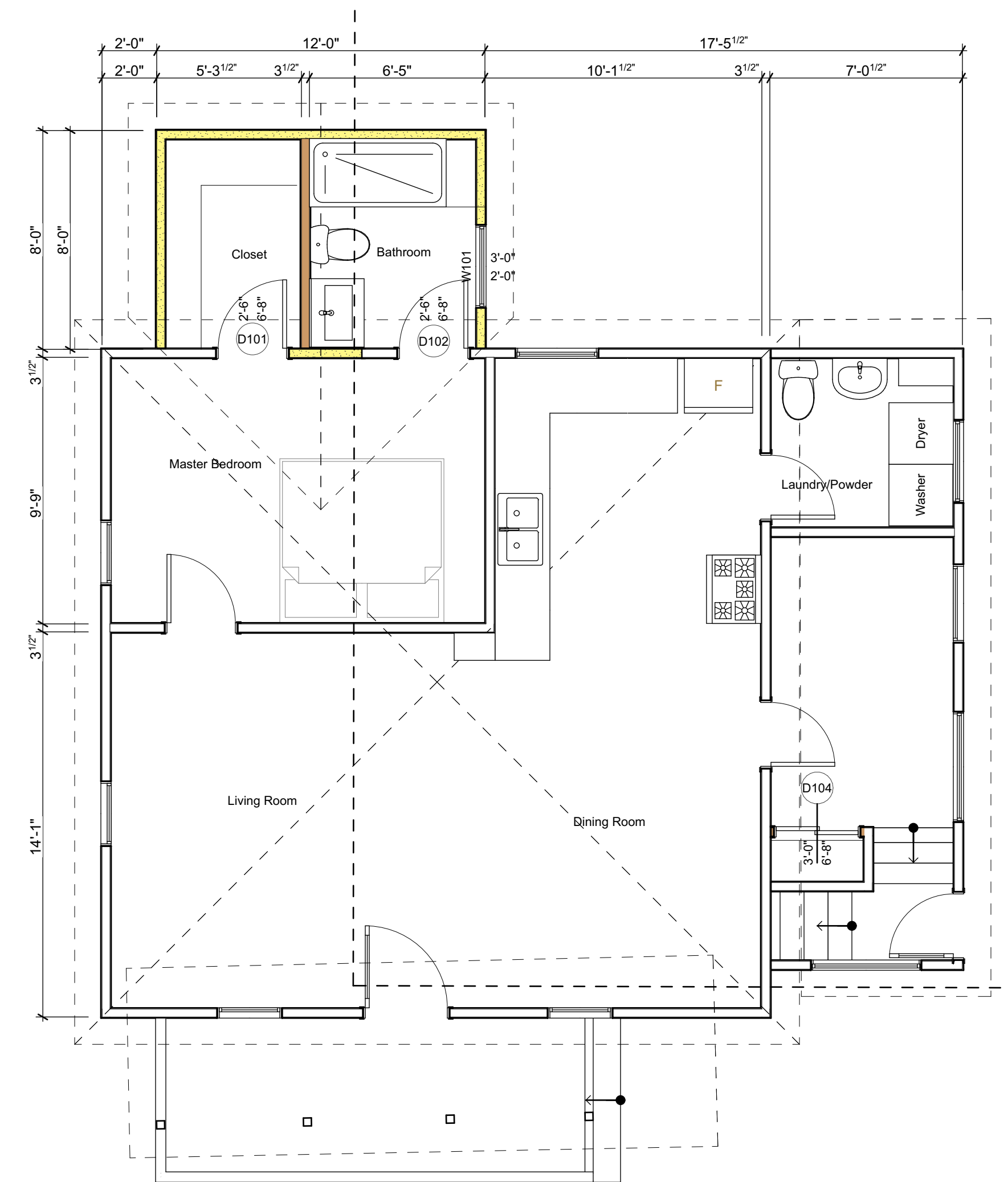
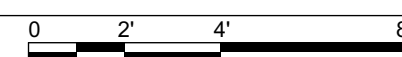
Cover Sheet and Site
Plan

A001

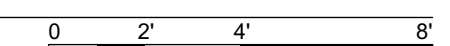
Printed: 12/21/21



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



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



Building Permit

ISSUED:

Main Level Plan-Existing
and Proposed

A101

**Henderson
Residence**

301 Pine Street
Louisville, CO 80027

Project Number: 1907

Drawings and Specifications as instruments of service are and shall remain the property of the Architect. They are not to be used on extensions of the project, or other projects, except by agreement in writing and appropriate compensation to the Architect.

The General Contractor is responsible for confirming and correlating dimensions at the job site. The Architect will not be responsible for construction means, methods, techniques, sequences, or procedures, or for safety precautions and programs in connection with the project.

© Dodd-Studio

Building Permit

ISSUED:

Elevations

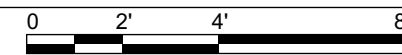
A201

Printed: 12/21/21



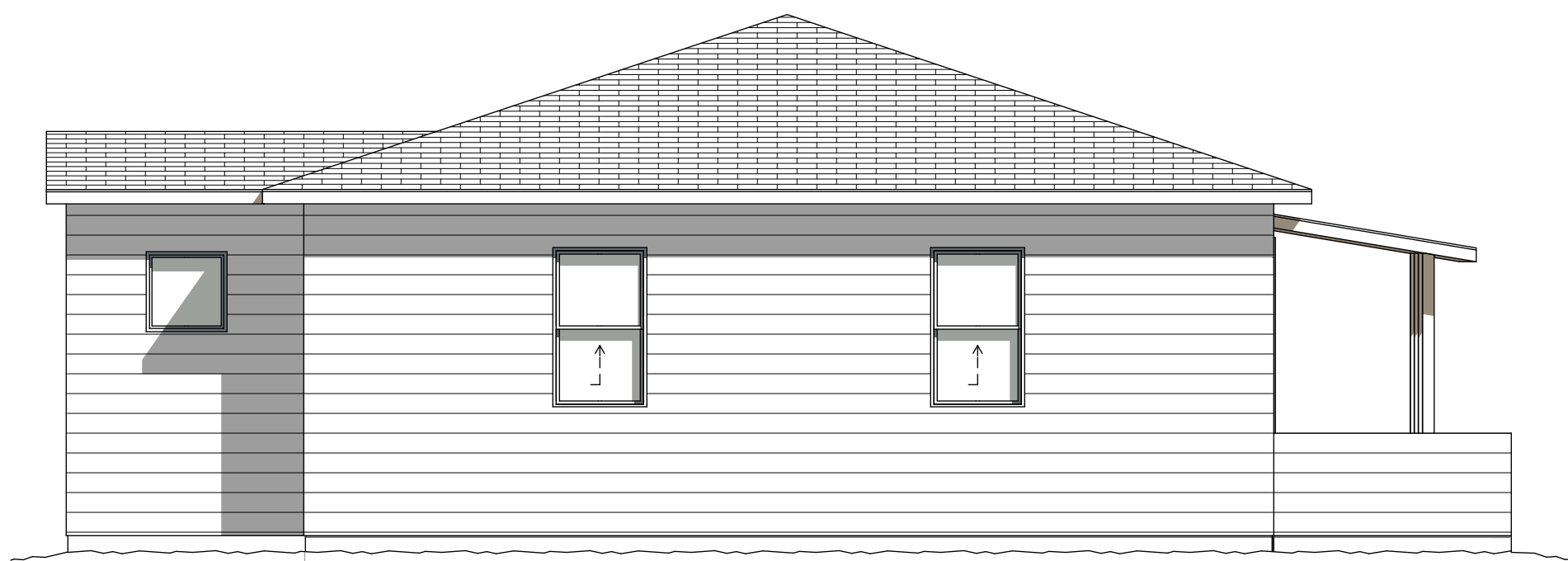
1
A201 West Elevation - Proposed

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



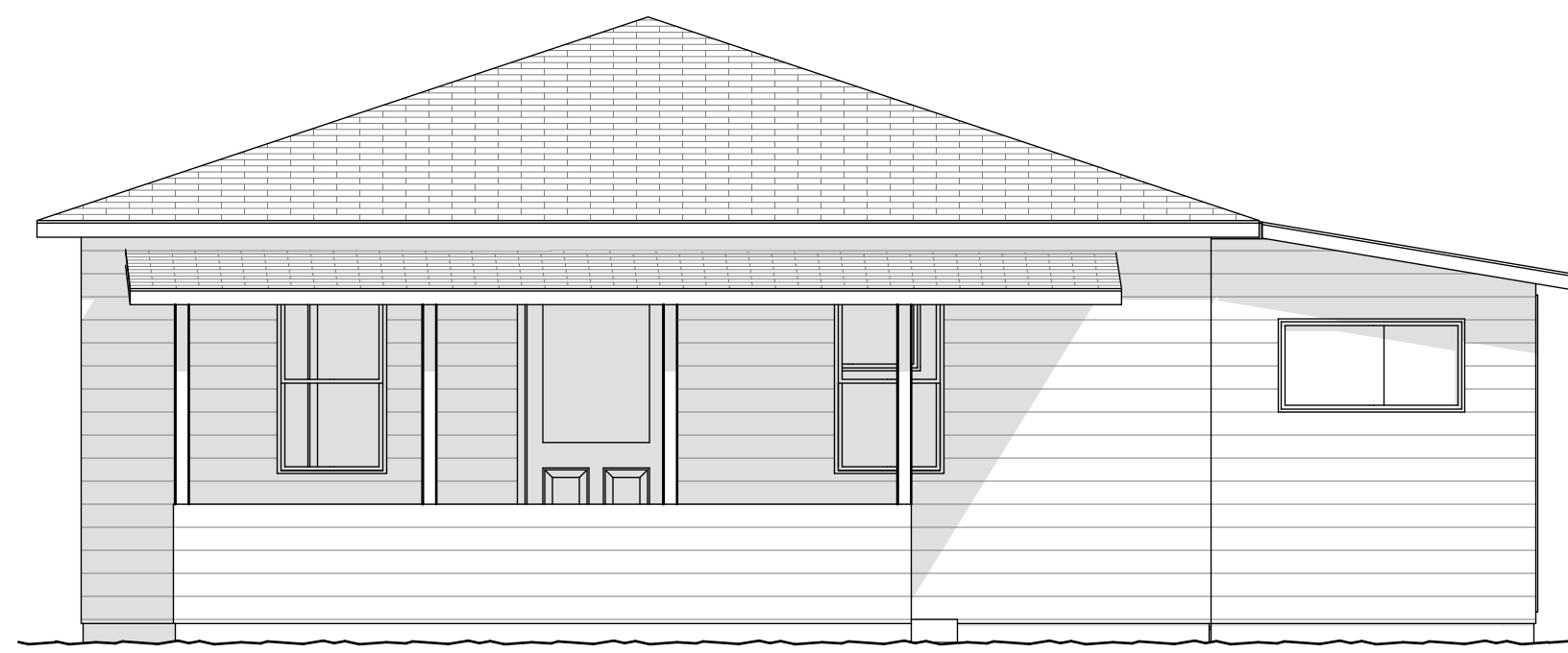
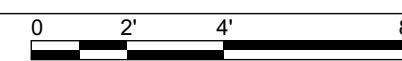
4
A201 South Elevation - Proposed

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



2
A201 West Elevation - Existing

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



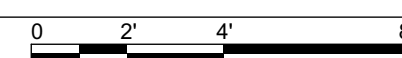
5
A201 South Elevation - Existing

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



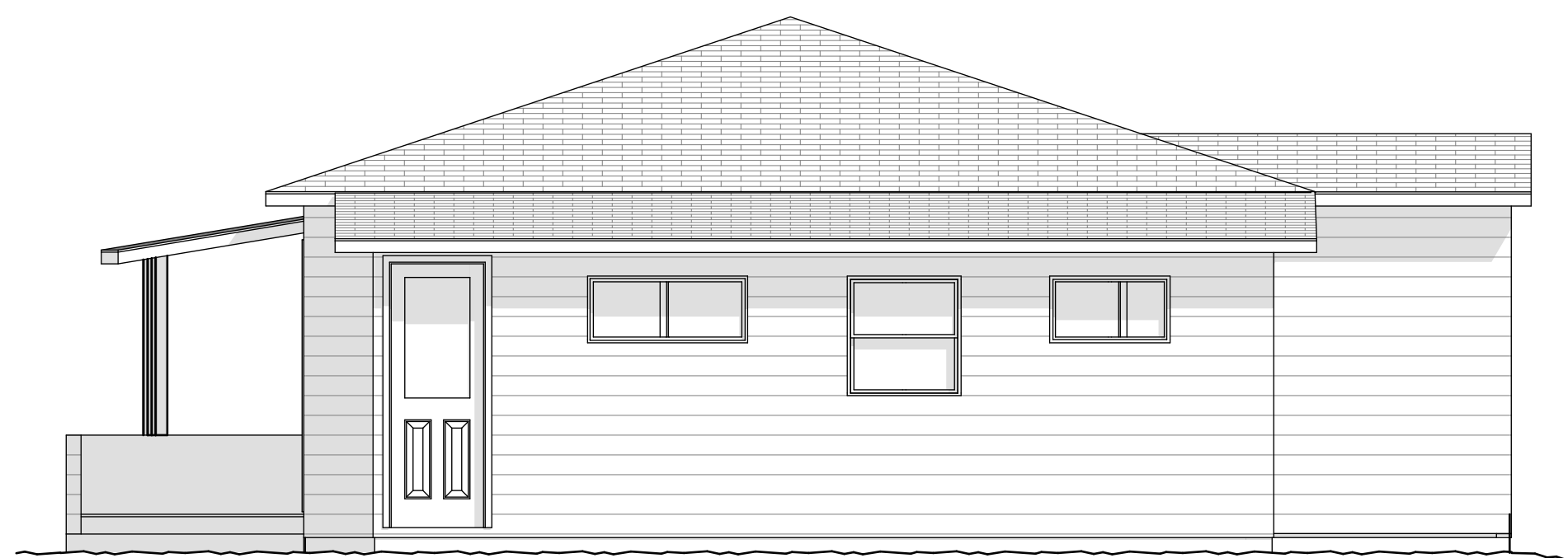
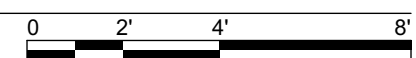
6
A201 East Elevation - Proposed

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



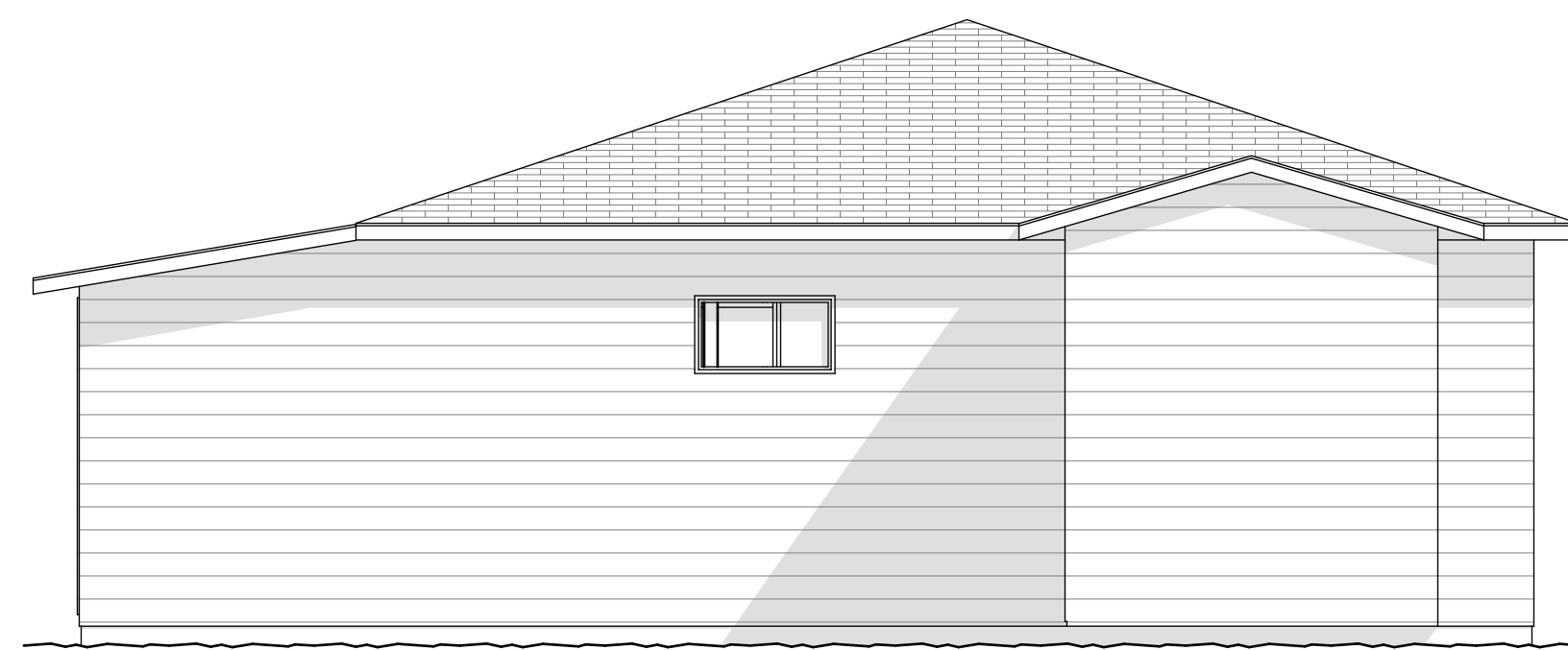
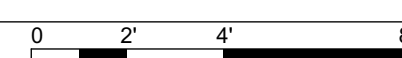
8
A201 North Elevation - Proposed

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



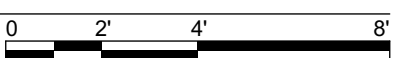
7
A201 East Elevation - Existing

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



9
A201 North Elevation - Existing

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



Board of Adjustment Meeting Minutes February 16, 2022 Electronic Meeting 6:30 PM

Chair Cooper calls the meeting to order at 6:30 PM.

Roll Call is taken and the following members are present:

Board Members Present: Chair Karen Cooper
Scott Berger
Joel Hawksley
Matt Nakari
James Stuart

Board Members Absent:

Staff Members Present: Rob Zuccaro, Dir. of Planning & Building Safety
Kim Bauer, Historic Preservation Planner
Ellie Hassan, Planner II
Elizabeth Schettler, Sen. Admin. Assistant

ELECTION OF CHAIR AND VICE CHAIR

Stuart encourages the new members to be chair or vice chair.

Nakari says he would like to help in a greater role and would be happy to assist as vice chair.

Hawksley says he cannot be chair at this time.

Berger says he would be happy to be chair.

Stuart moves and **Berger** seconds a motion to appoint Berger as Chair and Nakari as Vice Chair. Motion passes unanimously by a voice vote.

APPROVAL OF AGENDA

Stuart moves and **Berger** seconds a motion to approve the February 16, 2022 agenda. Motion passes unanimously by a voice vote.

APPROVAL OF MINUTES

Stuart moves and **Nakari** seconds a motion to approve the August 18, 2021 minutes. Motion passes unanimously by a voice vote.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None is heard.

REGULAR BUSINESS

A. 301 Pine Street (Case # VAR-0393-2022): A request for a variance from the Residential Low Density (R-L) minimum front setback (McKinley Avenue) of 20 feet to allow a 96 square foot addition with a 13 foot, 10 inch front setback at 301 Pine Street.

- **Applicant:** Buffy Andrews, Andrews Design Studio, LLC
- **Case Planner:** Kim Bauer

Cooper reviews the procedures for the meeting; opens the public hearing; and states there are six criteria, which must be met for the board to approve a variance request.

Cooper states that for the requested variance to be approved, four (4) votes will be needed to be affirmative.

Bauer verifies the application to be heard this evening is complete, and was mailed to the surrounding property owners on January 21, 2022, published in the Boulder Daily Camera on January 23, 2022, and the property was posted on January 21, 2022.

Berger moves and **Stuart** seconds a motion that confirms that all requirements have been satisfied and the application submitted by the applicant has been properly filed. Motion passes unanimously by a voice vote.

Cooper asks if anyone at the hearing has any objections to the hearing procedures she described and asks if there were any other preliminary matters that needed to be taken care of. None are heard.

Conflict of Interest and Disclosure:

Cooper asks for disclosures from the board members for any site visits, ex parte communications, and any conflicts of interest or required disclosures for the application.

All Board members indicate they did not have any ex parte communications or any conflicts of interest for the application.

Cooper asks the applicant if they are ready to proceed with the hearing. The applicant indicates they are ready to proceed with the hearing.

Staff Report of Facts and Issues:

Nakari moves and **Stuart** seconds a motion to add the site plan architectural drawings to the meeting packet. Motion passes unanimously by a voice vote.

Bauer begins her presentation by reviewing the aerial image. She then explains the background information. The underlying zoning is Residential Low Density and the property is within the Old Town Overlay. The House was built in 1907 and was built with its front elevation facing south, toward Pine Street. In the Old Town Overlay, the

setbacks are contingent upon the width of the lot itself. The subject property has a lot width of approximately 62.5 feet. Therefore, the setbacks are as follows:

Front Yard Setback: Minimum 20' (unless reduced per Section 17.16.080) / Maximum 25'

Street Side Yard Setback: 15' Principal Structure / 15' Accessory Structure

Interior Side Yard Setback: 7' Principal Structure / 3' Accessory Structure

Rear Yard Setback: 25' Principal Structure / Accessory Structure dependent upon notes in Section 17.12.050(L)2

The applicant is requesting a variance to allow construction of a 96 sq ft addition, replacing a 48 sq ft addition.

She concludes her presentation by reviewing the six variance criteria. The following indicates staff's analysis of each criteria:

Criteria 1 - Criterion Met

- While the lot is a relatively conforming shape and size for the R-L zoning district, the residence was built over 100 years ago facing south toward Pine, rather than facing west toward McKinley.

Criteria 2 - Criterion Met

- Staff finds that there are unusual circumstances that support meeting this criterion.

Criteria 3 - Criterion Met

- In order to conform to required building setbacks, the addition would have been moved roughly 8 feet to the east and the house was originally built in 1907.

Criteria 4 - Criterion Met

- The existing nonconforming setback created by the configuration of the structure, which was first constructed in 1907 and is not the result of any actions by the applicant.

Criteria 5 - Criterion Met

- Staff finds that the proposal would not alter the essential character of the neighborhood.

Criteria 6 - Criterion Met

- The applicant is proposing to rebuild an addition and add 48 sq ft to the total lot coverage.

Staff Recommendations:

Staff finds that all six criteria in Municipal code Section 17.48.110 are met and recommends approval with no conditions.

Board Questions of Staff:

Nakari asks if there are any letters or statements from the surrounding neighbors that are in support or denial of the proposal.

Bauer says that staff has not received any public comment.

Applicant Presentation:

None is heard.

Board Questions of Applicant:

None is heard.

Public Comment

None is heard.

Summary and request by Staff and Applicant:

None is heard.

Discussion by Board:

None is heard.

Stuart moves and **Hawksley** seconds a motion to approve 301 Pine St's request for a variance from the Residential Low Density (R-L) minimum front setback (McKinley Avenue) of 20 feet to allow a 96 square foot addition with a 13 foot, 10 inch front setback at 301 Pine Street. Motion passes unanimously by a voice vote.

DISCUSSION ITEMS

Public Notice Posting Locations

Stuart moves and **Hawksley** seconds a motion to approve the below posting locations. Motion passes unanimously by a voice vote.

- a) City Hall Main Lobby, 749 Main Street
- b) Library Bulletin Board, 951 Spruce Street
- c) Recreation/Senior Center, 900 Via Appia
- d) Police Department/Municipal Court, 992 Via Appia
- e) City Web Site, www.LouisvilleCO.gov

2022 Meeting Dates

Cooper informs the board what the 2022 meetings dates will be.

Open Government & Ethics Pamphlet – 2022 Edition

Hassan informs the board that in their meeting packet, the 2022 edition of the Open Government and Ethics Pamphlet is there for their review.

ITEMS TENTATIVELY SCHEDULED FOR THE MEETING ON MARCH 16, 2022

None is heard.

STAFF COMMENTS

None is heard.

BOARD COMMENTS

None is heard.

ADJOURN

Meeting adjourns at 7:05 PM.