

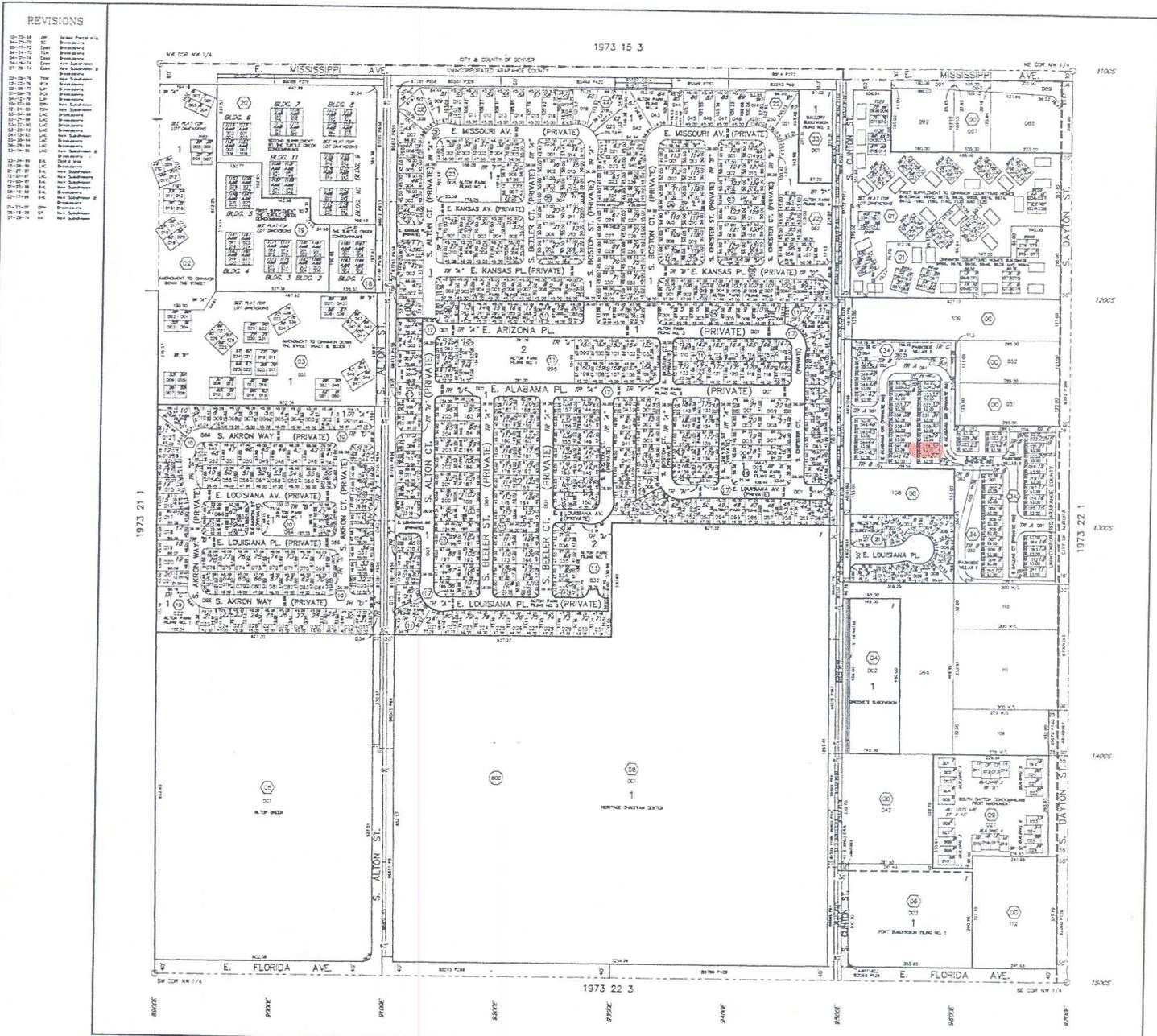
BOARD OF ADJUSTMENT PUBLIC HEARING
May 12, 2016
1:00 P.M.

SUBJECT: CASE NO. B0A-2016-00005 PATRICIA HOUSTON VARIANCE

Alan Snyder, Community Compliance Officer

April 29, 2016

VICINITY MAP: The site is located at 9585 E. Alabama Cir. The property is zoned R-PM (Residential-Planned Unit Development-Moderate Density) and is located within Election District 4.



REVISIONS

01-29-14	AP	Meet Packet
02-20-14	EC	Board Review
03-17-14	EC	Board Review
04-14-14	EC	Board Review
05-11-14	EC	Board Review
06-08-14	EC	Board Review
07-05-14	EC	Board Review
08-02-14	EC	Board Review
09-06-14	EC	Board Review
10-03-14	EC	Board Review
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11-05-16	EC	Board Review
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02-03-17	EC	Board Review
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06-152-45</		

**SUBJECT: CASE NO. B0A-2016-00005, PATRICIA HOUSTON
VARIANCE**

Alan Snyder, Community Compliance Officer

April 29, 2016

LOCATION: The site is located at 9585 E. Alabama Cir. The property is zoned R-PM (Residential-Planned Unit Development-Moderate Density) and is located within Election District 4.

ADJACENT SUBDIVISIONS, ZONING, AND LAND USES:

- North - R-3 (Residential)
- South - R-A (Residential-Agricultural)
- East - R-A (Residential-Agricultural)
- West - M-U- PUD (Mixed Use – Planned Unit Development)

PROPOSAL:

The owner, Patricia Houston, is requesting approval of a variance to allow her to install a deck in her new home that will encroach into the required 7' 6" side setback Case P13-015, Parkside Villas II, requires a 7' 6" side setback and an 18" front and rear setback. These requirements make it difficult for homeowners to add decks, patio covers and hot tubs for their use in the back/side yards.

BACKGROUND:

The subject property is zoned R-PM which allows for multi-family residences and Type A Group Homes.

13-1004 CONDITIONS FOR VARIANCE

The establishment of a hardship shall be clearly demonstrated by the applicant for variance, and the following conditions must be shown by the applicant:

13-1004.01

The strict application of these Regulations would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Regulations.

13-1004.02

Any variance shall not grant special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district in which the subject property is located.

13-1004.03

Because of special, applicable circumstances, including size, shape, topography, or location, the strict application of these Regulations will deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification; or that there are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

13-1004.04

That the condition or situation for which the variance is sought is not of so general a nature that the formulation of regulations would be necessary to insure consistent application of the regulations.

13-1004.05

That the granting of a variance will not be substantially detrimental to the public good and will not substantially impair the intent and purpose of these Regulations.

13-1004.06

That the granting of a variance will not be contrary to the objectives of the Arapahoe County Comprehensive Plan.

DISCUSSION:

Staff review of this application included a comparison of the proposal to the Comprehensive Plan, zoning and subdivision regulations, and an analysis of referral comments.

1. Comprehensive Plan:

The Comprehensive Plan designates this area for Residential Neighborhood...

2. Ordinance Review and additional Background Information

The required setback, per Case P13-015, is 7' 6" from the side property line and 18" from the front and rear property lines. The side setback requirements leave no room for an owner to construct/install a deck, patio cover, hot tub or other appurtenant structures to the side yards.

3. Referral Comments

Comments received as a result of the referral process are as follows:

- Planning:
- Engineering

STAFF FINDINGS:

Staff has visited the site, reviewed the plans and supporting documentation, referral comments, as well as citizen input in response to this application. Based upon review of applicable policies and goals in the Land Development Code and analysis of referral comments, our findings include:

1. The proposed deck will encroach into the required 7'6" side and 18" rear setback.

ATTACHMENTS:

1. Variance application
2. Letter of intent
3. Site plan
4. Plot Plan
5. Setback requirements P13-015
6. Referral Comments- Planning, Engineering, Building Depts.
7. Building Dept. referral not available at time of report
8. Map of Variances in area



ARAPAHOE COUNTY BOARD OF ADJUSTMENT
APPLICATION FOR VARIANCE

CASE NO. BOA-2016-00005

DATE 4.13.2016 MANAGER ALAN

* NAME OF APPLICANT Patricia Houston

* ADDRESS 9585 E Alabama Circle Denver Co

* ZIP CODE 80247 * PHONE 720.490.1622

* ADDRESS OF PROPERTY NEEDING VARIANCE 9585 E Alabama Cir.

09 RETIRED 9493@gmail.com

LEGAL DESCRIPTION OF PROPERTY _____

CURRENT ZONING R. PM SURROUNDING ZONING _____

STATE VARIANCE REQUEST IN (FEET & INCHES) SEE ATTACHED

EXPLANATION OF HARDSHIP (LIST REASON WHY VARIANCE IS NEEDED) SEE ATTACHED

ZONING RESOLUTION REFERENCE:
REQUIRED HEIGHT, QUANTITY OR LOCATION:

OWNER OF PROPERTY (PLEASE PRINT)
Patricia Houston

* Patricia Houston
PROPERTY OWNER'S SIGNATURE

* Patricia Houston
APPLICANT'S SIGNATURE

REGULAR MEETING: SECOND THURSDAY OF EACH MONTH, 1:00 P.M. IN THE ARAPAHOE ROOM
AT ARAPAHOE COUNTY PUBLIC WORKS AND DEVELOPMENT BUILDING:
10730 E BRIARWOOD AVE., CENTENNIAL CO 80112 Phone: 720-874-6711

FEE: REGULAR MEETING: \$450.00
FOLLOWING
SPECIAL MEETING: \$900.00
SKN \$ 11.00
TOTAL \$ 461.00

TO FILE APPLICATION, SUBMIT THE
COMPLETED APPLICATION FORM
PLOT PLAN (8 1/2" X 11" OR 8 1/2" X 14")
FILING FEE
OTHER SUBMITTALS-NO LARGER THAN 11" X 17"

YOU WILL RECEIVE POSTING INSTRUCTIONS FOR THE PROPERTY AFTER COMPLETED APPLICATION IS RECEIVED.

4.13.2016
DATE RECEIVED

Alan Snyder
RECEIVED BY ZONING DEPARTMENT

To whom it may concern:

I would really like to be able to build a deck in my side yard to enjoy my new home

I spent 15+ years serving the City & County of Denver as a Deputy Sheriff, and now would love to sit on my deck & enjoy my retirement.

Thank you for your consideration on this matter.

Patricia Houston

I'm applying for this as my yard is too small to accommodate a deck



Deck 2



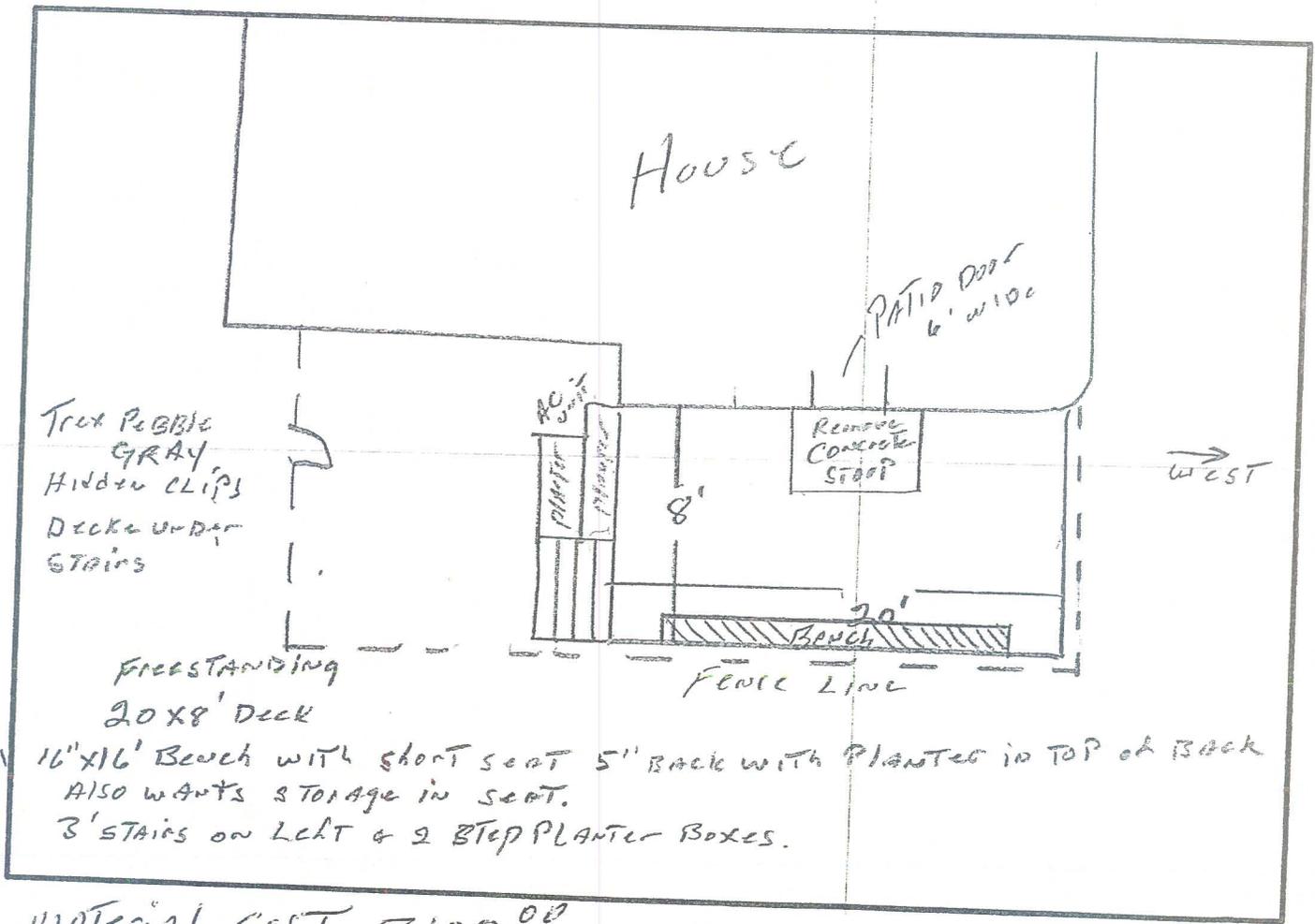
ACQ 5/4"	<input type="checkbox"/>	2x6	<input type="checkbox"/>
Choice Dek	<input type="checkbox"/>		
Trex	<input checked="" type="checkbox"/>		
Other			

PSE Drawing Worksheet - Decks (Complete and Fax to Installer)

Customer: PAT HOUSTON Store: 0102
 Phone (home): 720-490-1622 Phone (cell): 720-490-1622 Phone (other): _____
 Install Address: 9585 E ALABAMA in Denver 80247

Directions:

1. Draw a top-down view of the deck and the walls of the home adjoining the deck. Make sure to include all dimensions. Also include the location and relative size of any obstructions (example: shrubs, chimneys, etc.) that the deck will be built around.
2. Be sure to include the following information: height of deck (slope of land if important); dimensions of all deck sides and the house walls adjoining deck; deck board type (check above); access door location and type; access to construction area; number and location of stairs; rail choice.
3. Indicate whether the deck will be freestanding or attached to home via ledger board.



MATERIAL COST 3100.00



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SERVICES AND SOLUTIONS

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7006 SOUTH ALTON WAY, BLDG. F CENTENNIAL, COLORADO 80112-2019

(303)694-1520

PLOT PLAN

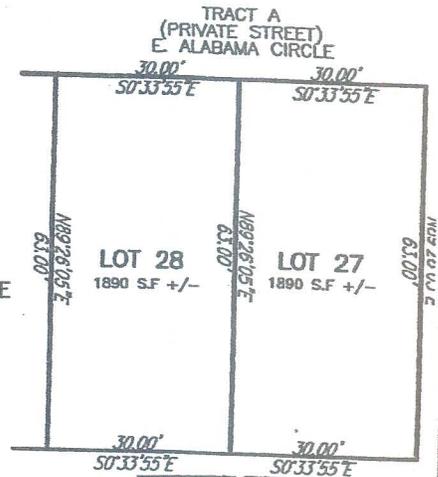
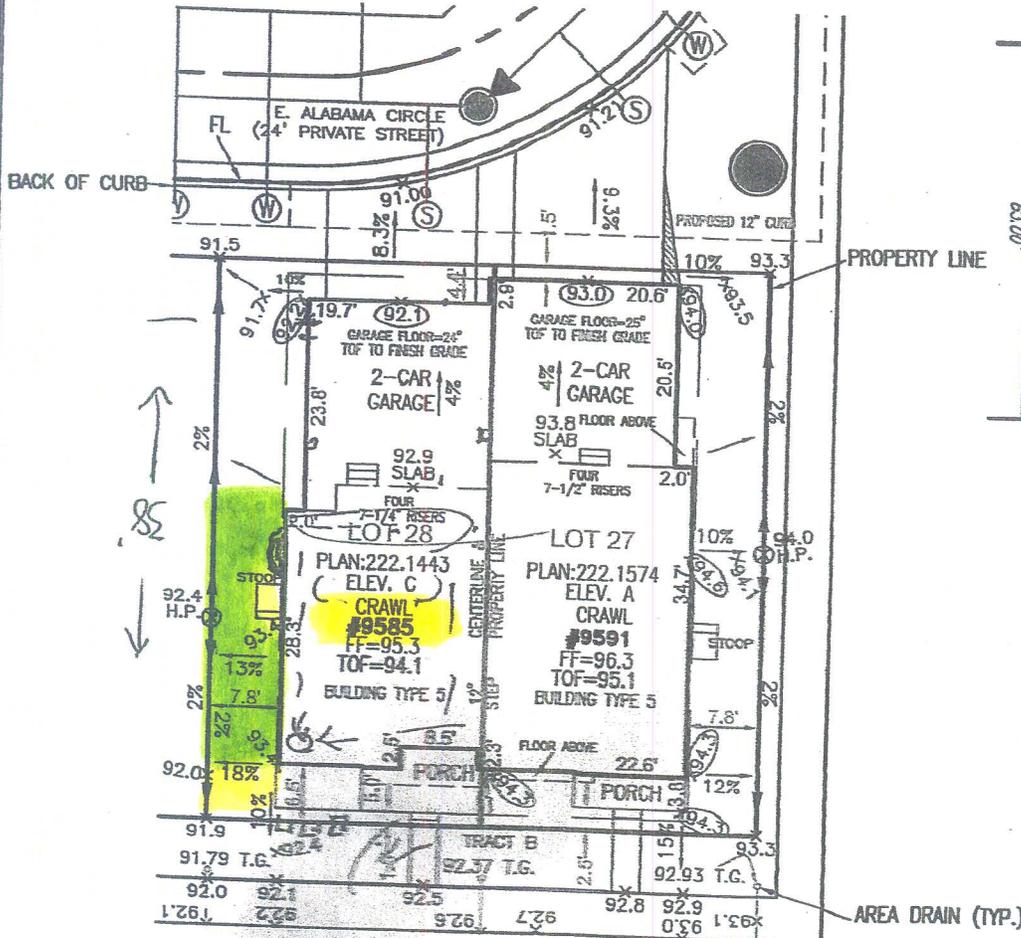
KB HOMES

JOB NO.: 12389.20

DRAWN BY: MSM

DATE: 02/05/2015

Proposed Deck Area



LOT DETAIL
1"=30'

LEGEND

- PROPOSED FLATWORK
- DROP SIDING/GRADE
- SWALE
- ELEVATION
- EASEMENT
- SETBACK
- STORM/DRAIN PIPE
- WATER SERVICE
- SEWER SERVICE
- FIRE HYDRANT
- LIGHT POLE

Richard Bury
Stacy Hovde

NOTE: LOWER SIDING OR VENEER ALONG THIS WALL LINE.

NOTE: ADJUST GRADE AS SHOWN TO ACHIEVE INDICATED SLOPE.

NOTES

1. EASEMENTS SHOWN ON THIS PLAN ARE TAKEN FROM THE RECORDED PLAT AND MAY NOT SHOW ALL EASEMENTS OF RECORD.
2. THIS DOCUMENT REPRESENTS A PROPOSED BUILDING LAYOUT FOR

LEGAL DESCRIPTION

9585 & 9591 E ALABAMA CIRCLE
LOTS 27 & 28
DAD/CIDE 1/11/15

SITE DATA:

PARKS IDE VILLAS II

P13-015

Gross Site Area:	5.701 Ac.	248,344 sf
Land to be Dedicated:	0.095 Ac.	4,124 sf
Net Site Area:	5.607 Ac.	244,219 sf

SITE AREA CALCULATIONS : Proposed FDP

	Proposed FDP			Approved PDP
Private Property:	2.17 Ac.	94,500 sf	38.7 %	38.7 %
Det. & Water Quality Pond:	0.28 Ac.	12,413 sf	5.1 %	6.0 %
Guest Parking & Priv. Roads:	0.94 Ac.	40,774 sf	16.7 %	17.0 %
Private Driveways:	0.24 Ac.	10,664 sf	4.4 %	4.4 %
Common Open Space:	1.97 Ac.	85,867 sf	35.2 %	33.9 %

Zoning:	Approved PDP	Proposed FDP
	R-PM	R-PM
	Residential - Moderate Density (8.92 Units/Acre Maximum)	Residential - Moderate Density (8.92 Units/Acre Maximum)
Number of Dwelling Units:	50 Dwelling Units	50 Dwelling Units
Gross Density:	8.77 Units/Acre	8.77 Units/Acre
Net Density:	8.92 Units/Acre	8.92 Units/Acre

DEVELOPMENT CRITERIA:

PROPERTY SETBACKS:

	Approved PDP	Proposed FDP
N. Prop. Line (Adj. Prop.):	10'-0" Min. to Priv. Lot Line	15'-0" Min. to Priv. Lot Line
E. Prop. Line (S. Dayton):	25'-0" Min. to Priv. Lot Line	25'-0" Min. to Priv. Lot Line
E. Prop. Line (Adj. Prop.):	10'-0" Min. to Private Dr.	10'-0" Min. to Private Dr.
S. Prop. Line (Adj. Prop.):	10'-0" Min. to Private Lot Line	15'-0" Min. to Private Lot Line
W. Prop. Line (S. Clinton):	10'-0" Min. to Private Lot Line	10'-0" Min. to Private Lot Line
W. Prop Line (Adj. Prop.):	50'-0" Min. to Private Lot Line	70'-0" Min. to Private Lot Line

INTERNAL SETBACKS: from Site Elements./Priv. Lot Lines

Front Priv. Lot Line:	18'-0" Min. to Private Lot Line	18'-0" Min. to Private Lot Line
Side Priv. Lot Line (non-common):	10'-0" Min. to Priv. Drive/Parking	10'-0" Min. to Priv. Drive/Parking
Rear Private Lot Line:	5'-0" Min. to Private Dr.	5'-0" Min. to Private Dr.

BUILDING SETBACKS: from Priv. Lot Lines, see detail 2, sheet 2

Front:	18" Min. to Private Lot Line	18" Min. to Private Lot Line
Rear:	18" Min. to Private Lot Line	18" Min. to Private Lot Line
Side:	7'-6" Min. (15' between bldg's)	7'-6" Min. (15' between bldg's)
Common:	0'-0"	0'-0"

BUILDINGS:

	Approved PDP	Proposed FDP
Height:	30'-0" Max	30'-0" Max
# of Stories:	2 Stories	2 Stories

LOT SIZE: (Minimum)	1,890 sf	1,890 sf
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OPEN SPACE: (Coverage)	30 % Minimum	35.2%
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PARKING:

Standard Spaces:	2.0 Spaces/Unit	2.0 Spaces/Unit
Guest Spaces:	0.25 Spaces/Unit	0.42 Spaces/Unit
Additional Parking:*		
Extended driveways:		48 Spaces

* Additional parking shown in site data table above is not included nor applied to the standard and guest parking requirements.

CASE REFERRAL

DATE: 04/18/2016

CASE #: BA2016-00005

TO: Jan Yeckes - Planning

FROM: ARAPAHOE COUNTY BOARD OF ADJUSTMENT

CASE MANAGER: Alan Snyder

HEARING DATE: 05/12/2016

DATE TO BE RETURNED: 04/27/2016

Please examine this VARIANCE request, which has been referred to you because of the possible effect of the proposed land development upon your area and after review, check the appropriate line below and return to:

**RECORDING SECRETARY TO THE BOARD OF ADJUSTMENT
PUBLIC WORKS AND DEVELOPMENT
6924 South Lima Street
Centennial, CO 80112**

If you have any questions/comments, please feel free to call at (720)874-6711 or fax (720)874-6611. Please respond as soon as possible or no later than the abovementioned date.

Have **NO** comments on this case as submitted.

Have the following comments to make related to this case:

The Parkside Villas development was approved with modifications to the County's small-lot development standards and was not designed to accommodate the addition of structures such as decks. This is a newer development, so the hardship for waiving the setback requirement is not evident - i.e., this is not an older subdivision that does not meet current homeowner expectations.

Jan Yeckes

Digitally signed by Jan Yeckes
Date: 2016.04.28 16:26:29 -06'00'

Signature/Date

(attach additional sheets as necessary)

Submit by Email

CASE REFERRAL

DATE: 04/18/2016

CASE #: BA2016-00005

TO: Chuck Haskins - Engineering

FROM: ARAPAHOE COUNTY BOARD OF ADJUSTMENT

CASE MANAGER: Alan Snyder

HEARING DATE: 05/12/2016

DATE TO BE RETURNED: 04/27/2016

Please examine this VARIANCE request, which has been referred to you because of the possible effect of the proposed land development upon your area and after review, check the appropriate line below and return to:

**RECORDING SECRETARY TO THE BOARD OF ADJUSTMENT
PUBLIC WORKS AND DEVELOPMENT
6924 South Lima Street
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If you have any questions/comments, please feel free to call at (720)874-6711 or fax (720)874-6611. Please respond as soon as possible or no later than the abovementioned date.

Have **NO** comments on this case as submitted.

Cathleen Valencia

Digitally signed by Cathleen Valencia
DN: cn=Cathleen Valencia, o=co, email=CValencia@arapahoe.gov, c=US
Date: 2016.04.25 14:36:54 -0700

Signature/Date

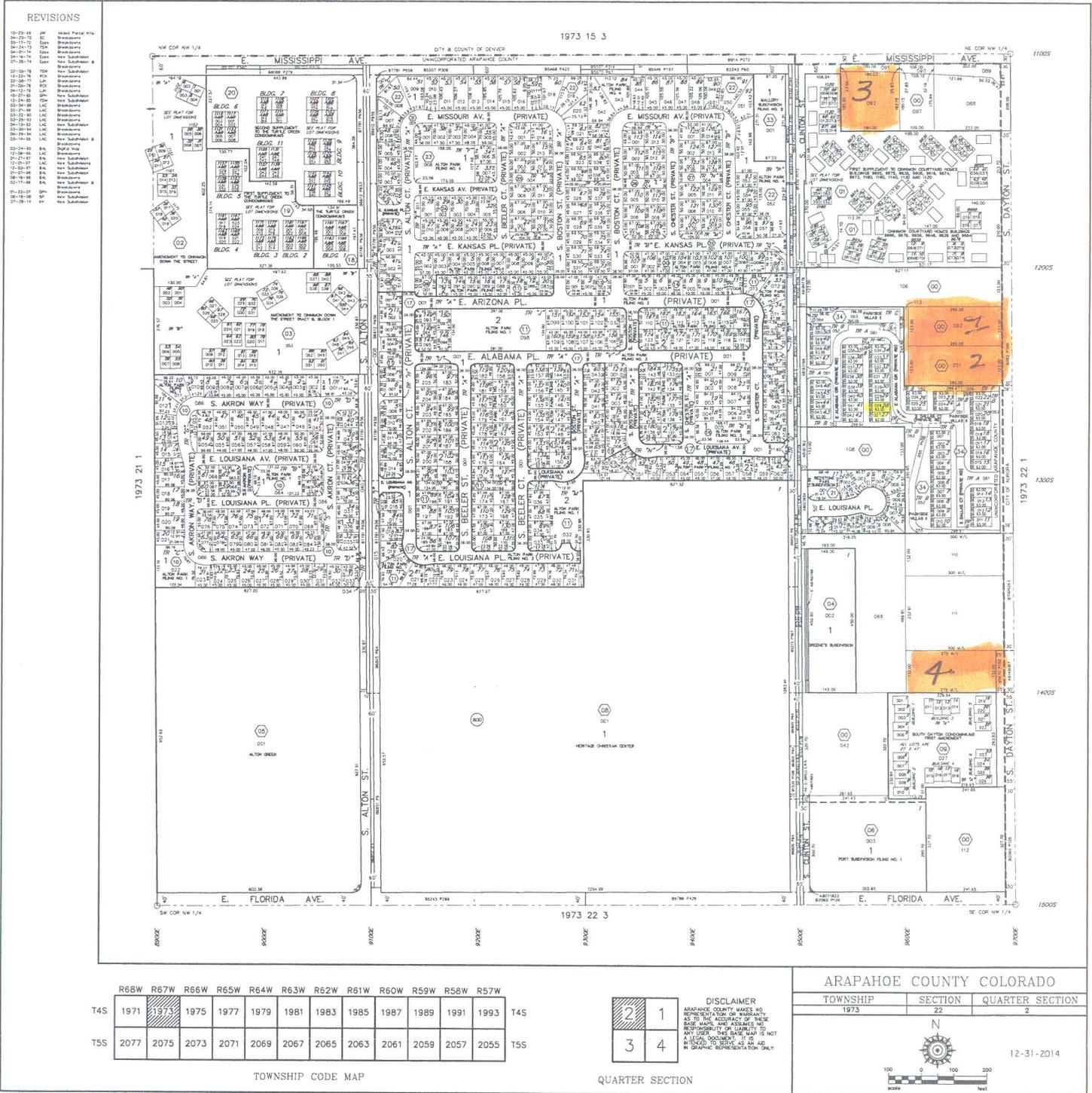
Have the following comments to make related to this case:

Signature/Date

(attach additional sheets as necessary)

Submit by Email

VARIANCES IN AREA



1 - BA-12-04-02 Approved - Fence Height

3 - BA92-10-01 Approved SITE TRIANGLE

2 - BA-09-09-02 Approved - Fence Height

4 - BA89-02-04 SIDE SETBACK APPROVED