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Lisa Bailey
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Mike Castellucci

Sarah French

ZBA-20-50

To: City of Pueblo Zoning Board of Appeals
From: Bart Mikitowicz, Planner
Through: Scott Hobson, Land Use Administrative Official
Date: 1/26/2020
Request: **A Special Use Permit to allow for a Bed and Breakfast, Inn in a Single-Family Residential (R-2) Zone District.**
Site Location: **327 W. 17th St. Pueblo, CO 81008**
Legal Description: LOTS 15+16 BLK 24 BROWNS ADD A/K/A HENRY C BROWNS ADD
Year Built: 1924
Applicant: Kjirstin Roberts
Property Owner: Brad Roberts
Zone District: Single-Family Residential (R-2) Zone District

BACKGROUND

The subject property (1,204 sqft.), built in 1924, is a single-family home in the Historic Northside Neighborhood, north of Parkview Medical Center and West of Mineral Palace Park. According to Section 17-4-51(3)(c) (3.1) of the Pueblo Municipal Code (PMC), The applicant, Kjirstin Roberts, is seeking a Special Use Permit to allow for a Bed and Breakfast inn in a R-2 Single-Family (R-2) Zone District.

The definition bed and breakfast is a commercial enterprise which rents more than three (3) guest bedrooms to the general public. Such facility may offer meeting facilities and meals to the general public but, would be subject to all laws and regulations governing the operation of a restaurant.

The subject property will have two guest rooms for rent, with an occupancy not to exceed four (4) individuals in total. It will not provide meeting facilities, with a check-in time approximately 3:00 p.m. and a check-out time at approximately 11:00 a.m.

The applicant wishes to restore this historic property to generate ancillary income through the operation of a bed and break inn. The applicant hopes that this investment will benefit a wide range of individuals who need lodging services in immediate proximity to the Parkview Medical Center and as a licensed business it will generate tax revenue for the city.

ZONING DISTRICT AND LAND USE

Zone:		Developed with:
North	Single Family Residential (R-2) Zone District	Single Family Homes
East	Single Family Residential (R-2) Zone District	Single Family Homes
South	Planned Unit Development (PUD)	Parkview Medical Center
West	Planned Unit Development (PUD)	Parkview Medical Center

PUBLIC NOTICE

The property was publicly noticed in accordance with Title 17 Section 17-5-33(2) of the City of Pueblo Municipal Code. Specifically, the hearing was published in the Pueblo Chieftain, surrounding property owners within 100 feet of the property were notified by mail, and a sign was placed on the site (See Attachment E). These notices occurred at least 10 days prior to the hearing.

OTHER AGENCIES

Code Compliance	No comment
Law Enforcement	No comment
City Engineering	No comment
Fire Protection	No comment
Energy	No comment
Telecommunication	No comment
Parks and Recreation	No comment
Stormwater	No comment
Wastewater	No comment
Waterworks	No comment
Traffic	No comment

CONDITIONS REQUIRED FOR LIMITED USE PERMIT

- Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
Comments: Affirmative finding. The property is located on the corner of N. Grand Ave. and W 17th St. The primary access point is off N. Grand Ave., but the property can be accessed from both streets.
- Off-street parking and loading areas where required, with particular attention to the economic noise, glare or odor effects of the use by review on adjoining properties and properties generally in the district.
Comments: Affirmative finding. The subject property has a compacity of 2 bedrooms for guests and has identified two (2) off street parking spots.
- Refuse and service areas, with particular reference to the items above.
Comments: Affirmative finding. Refuse will be kept onsite in a residential tote, against the interior of fence along the western property line.

4. Utilities, with reference to the location's availability and compatibility.
Comments: Affirmative finding. Utilities are established.
5. Screening and buffering with reference to type, dimensions, and character.
Comments: Affirmative finding. The subject property currently has a seven (7) foot fence surrounding the west, north, and east property lines.
6. Signs, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effect and compatibility and harmony with properties in the district.
Comments: Affirmative Finding. Any proposed signs must conform with Sec. 17-10-05 Sign standards of the Pueblo Municipal Code.
7. Required yards and other open space.
Comments: Affirmative finding. Yards and open space are adequate.
8. General compatibility with adjacent properties and other property in the district.
Comments: Affirmative finding. Parkview hospital is located at the southwest corner of N. Grand Ave. and 17th St. The hospital generates a great deal of vehicle and pedestrian traffic. This use is not anticipated to disrupt the character of the neighborhood.

PLANNING AND COMMUNITY DEVELOPMENT STAFF RECOMMENDATION

The use will conform to the zone district. Staff recommends APPROVAL with the following staff conditions and Standard Permit Conditions 1 through 13.

STAFF CONDITIONS

1. All fencing along the northwest property line must be repaired, made opaque, adequately maintained, and uniform in construction.
2. All areas adjacent to the property in the right-of-way should be kept clear of brush and debris.
3. Reestablishment of tree lawn in the right-of-way along the southern property line.
4. Installation of a six (6) foot opaque fence along the eastern property line to provide a buffer between the proposed inn and the existing duplex. The fence must taper as it approaches W. 17th St. to ensure the residents of the eastern property have adequate visibility when pulling out of their driveway.
5. Establish Landscaping in the front and side yards adjacent to W. 17th St. and N. Grand Ave.
6. The operator shall provide and maintain a guest register. Such register shall be available for inspection by City officials and law enforcement authorities. The maximum stay for guests shall not exceed thirty (30) consecutive days.
7. For safety, smoke alarms must be located upon all floors; fire extinguishers must be located upon all floors;

Exhibit A. Standard Permit Conditions

Standard Permit Conditions Date of Issuance of Permit: 1/26/2021	
1.	Time Limits Zoning permit shall become invalid unless work or action authorized by permit is fully executed by 1/26/2022
2.	Required Revisions Any revisions or additions to plans required as a result of approval must be submitted and stamped “approved” prior to the sign-off of the building permit routing slip or business license.
3.	Changes The project shall be completed as shown on the plans, which have been stamped “approved” and dated by the Department of Planning and Community Development. The project shall not deviate from the approved plans without prior written approval from the Department of Planning and Community Development.
4.	Property Inspection By acceptance of this permit, Permit holder authorizes City Officials and/or their authorized representatives, access to the subject property for purpose of observing work in progress, inspecting and/or measuring the property or improvements as long as the use authorized by this permit remains in effect.
5.	Certificate of Occupancy A certificate of occupancy must be issued by Regional Building <u>PRIOR</u> to use and/or occupancy of the subject premises. Prior to issuance, the Department of Planning and Community Development must certify that work has been completed in accordance with approved plans and that applicable conditions have been met. The Permit holder may be required to provide a Letter of Credit to obtain a Certificate of Occupancy prior to completion of all required improvements.
6.	Completion and Maintenance of Improvements and Landscaping Permit holder or successor in interest is responsible for completing all improvements shown on approved plans. By acceptance of this permit, Permit holder agrees to maintain all improvements in a satisfactory condition. Any landscaping installed according to the approved plan which becomes diseased or dies shall be replaced by similar species and size no later than the first available planting season.
7.	Building Permit; Other Permits Permit holder is solely responsible for obtaining <u>BUILDING PERMIT</u> and all other applicable local, state and federal permits.
8.	Off-Site Drainage Issuance of this permit does not authorize the discharge of stormwater runoff or other surface drainage from the subject premises onto adjoining property or properties.
9.	Appeals of a decision of the Land Use Administrator can occur up to thirty (30) days following such decision. Appeals of Zoning Board of Appeals decisions can occur up to thirty (30) days following final decision. Any work done in connection with this permit prior to the expiration of all applicable appeal periods is done <u>SOLELY</u> at the risk of the Permit holder.
10.	Errors Permit holder is solely responsible for the accuracy of all information contained in the Zoning Permit form and in accompanying documentation. Any errors contained therein may invalidate the Zoning Permit and may result in issuance of a code violation citation and prosecution.
11.	Transfer of Ownership In the event of a transfer of ownership, partial or whole, of the subject premises, the transferee shall become Permit holder and subject to compliance with the terms and conditions of this permit.
12.	Violations/Penalties A violation of any of the conditions of this permit or of any provision of the Pueblo Municipal Code may result in a penalty of up to three hundred dollars (\$300) per day.
13.	Incorporation and Reference of All Plans Presented to the Zoning Board of Appeals. This approval incorporates by reference all plans and drawings presented and all verbal representations by the applicant at Zoning Board of Appeals meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions or regulations.

ATTACHMENTS

- A. Standard Permit Conditions
- B. Site Map
- C. Aerial Map
- D. Zoning Map
- E. Comprehensive Plan Map
- F. Public Notice Photo
- G. Site Photographs
- H. Application
- I. Supporting documentation

Exhibit B. Site Map

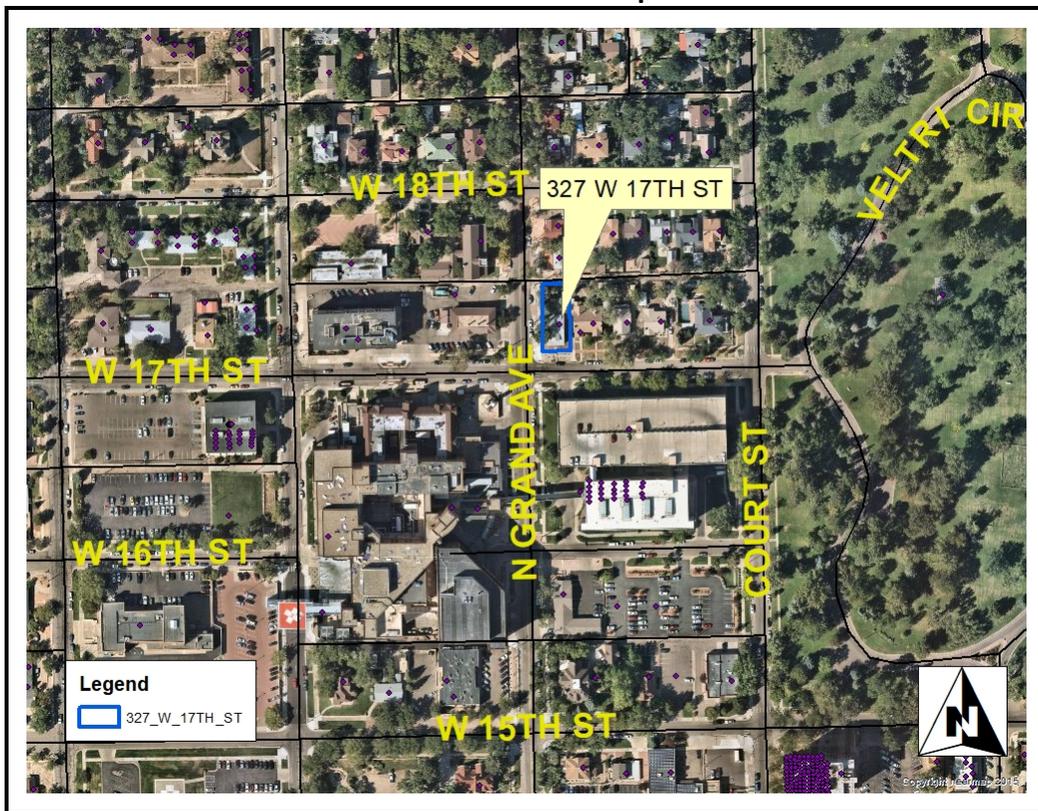


Exhibit C. Aerial Map



Exhibit D. Zoning Map (Zoning Map Amendments Recommended)

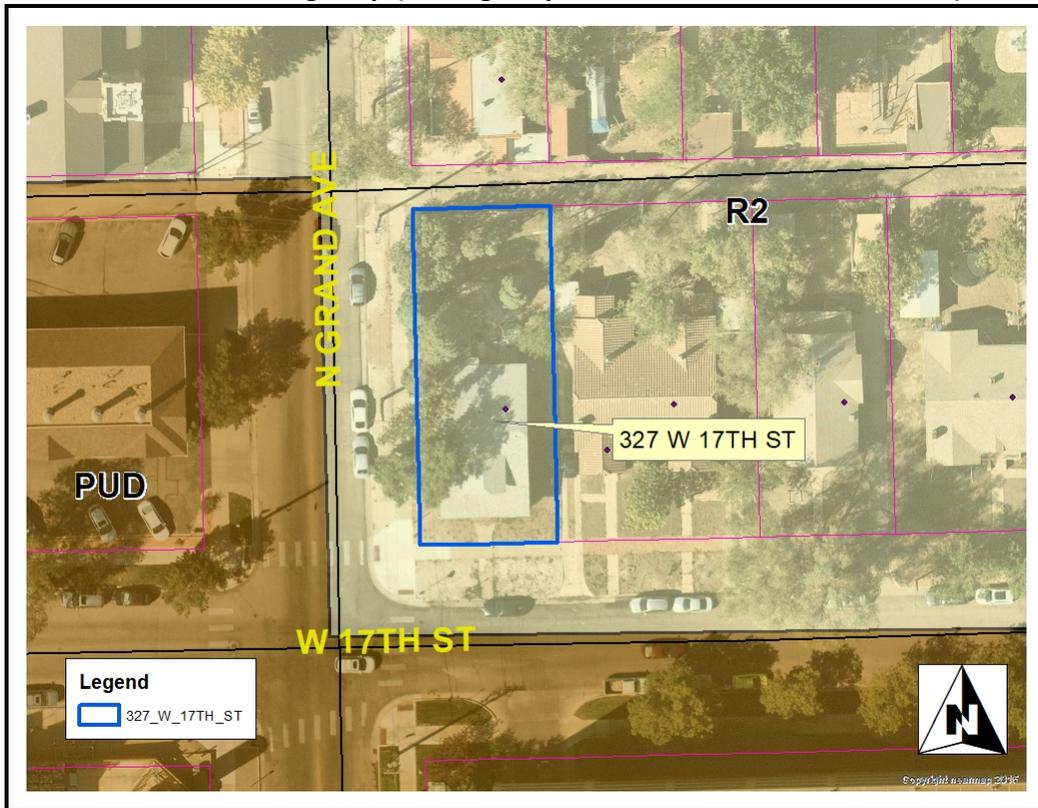


Exhibit E. Comprehensive Plan Map

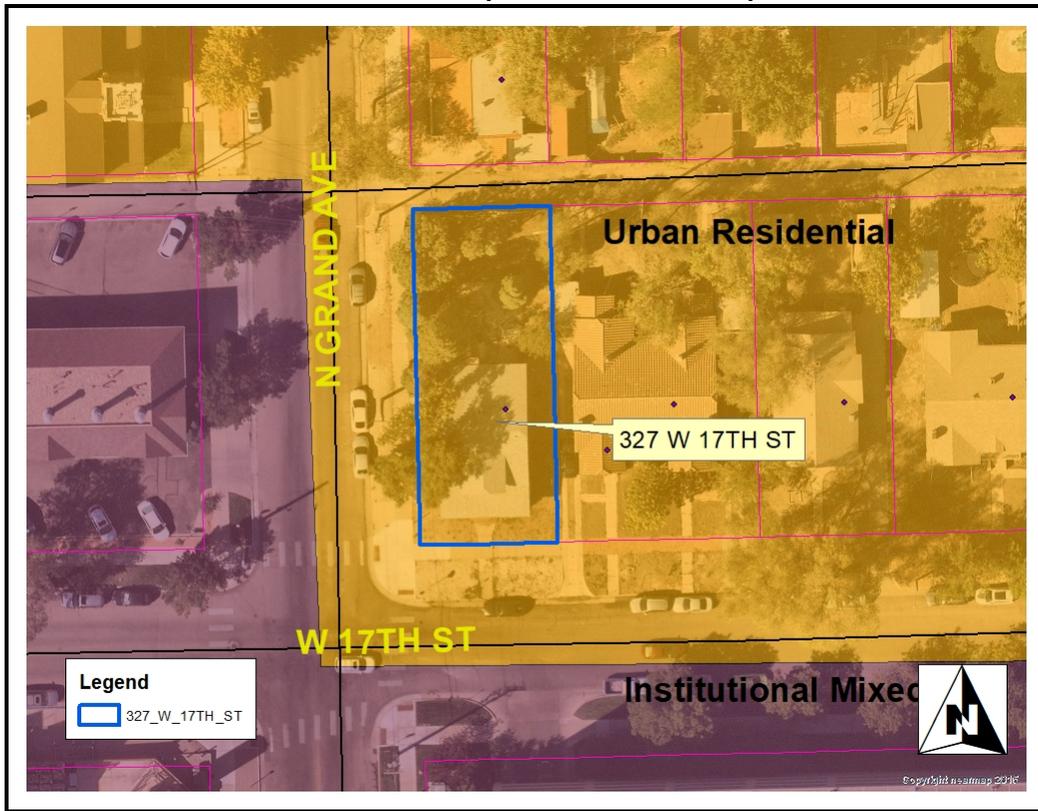
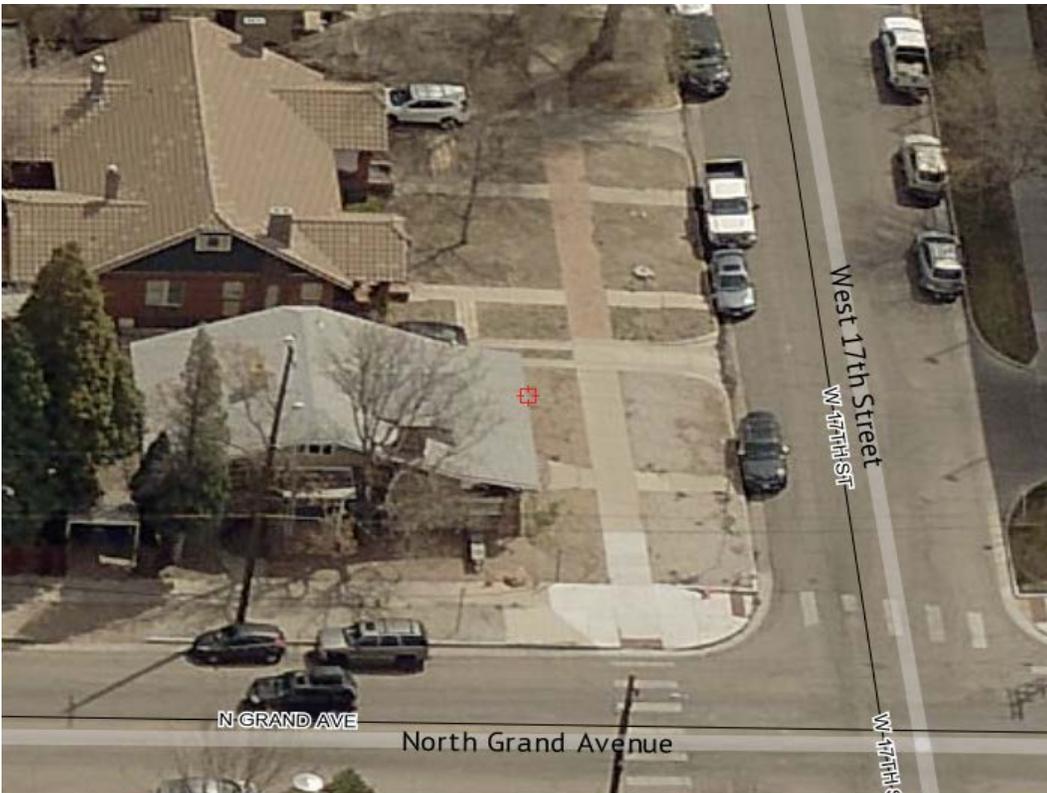
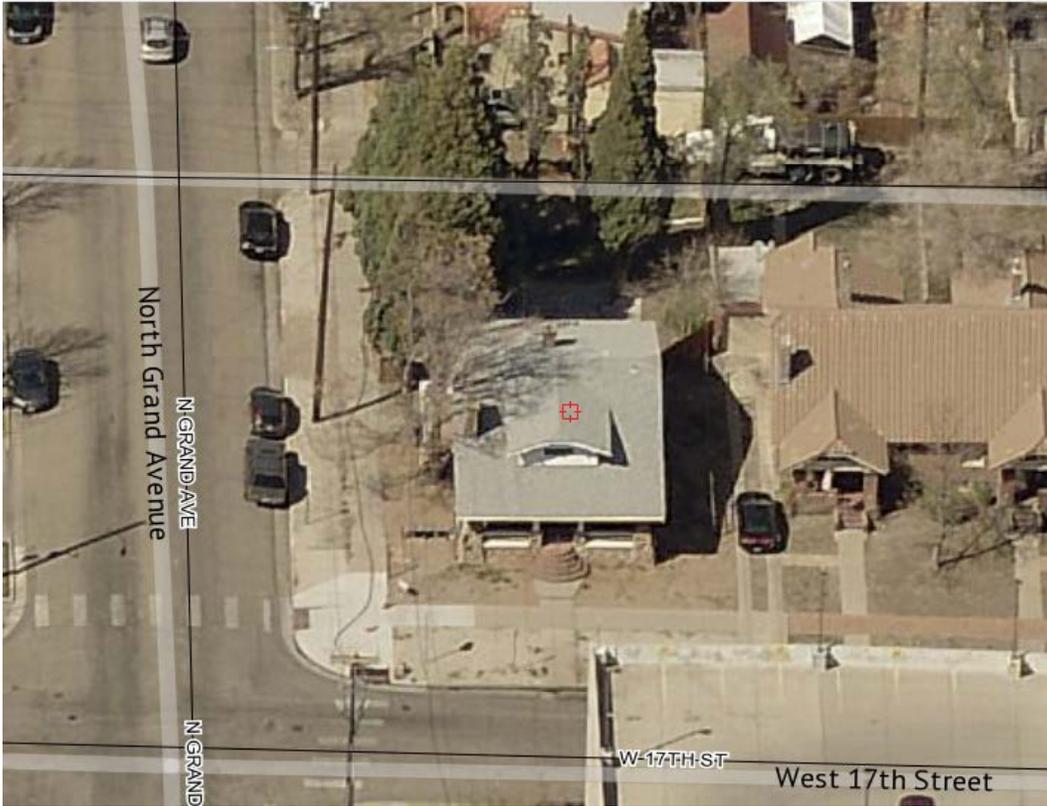


Exhibit F. Public Notice





Exhibit G. Site Photos





PICTURES TAKEN FROM W 17TH ST FACING NORTH & N GRAND AVE FACING WEST

H. Application



Planning & Community Development

211 East D Street | Pueblo, Colorado 81003 | Tel 719-553-2259 | Fax 719-553-2359 | TTY 719-553-2611 | www.pueblo.us

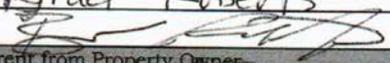
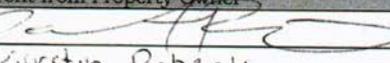
Zoning Board of Appeals Application

Please type or print clearly. Illegible applications will not be accepted. Case #:

Contact Info	Property Owner:		Applicant (if different from property owner):	
	Name: Brad Roberts		Name: Kjirstin Roberts	
	Address: 5615 Mark Twain Ln		Company: Rosemary Rentals	
	City, State & Zip: Pueblo, CO 81008		Address: 5615 Mark Twain Ln	
	Phone: (719) 242-4858		City, State & Zip: Pueblo, CO 81008	
	Email: bradaroberts@gmail.com		Phone: (720) 427-0230	Cell: (720) 427-0230
		Email: crazykjirstin@hotmail.com		
<i>The applicant will be the primary contact unless otherwise noted.</i>				
Property Info	Project Location: 327 W 17th St			
	Legal Description: LOTS 15 + 16 BLK 24 BROWNS ADD A/K/A HENRY C BROWNS ADD			
	Parcel No: 525131008		Existing Zone: R2	
	Property Size: 1636 sq ft			
Project Information	General Information			
	Provide a short description of the proposed request:			
	Special use permit for Bed and Breakfast to be primarily used for nurses and locums physicians at Parkview Medical Center to stay. May also use for friends/family of patients in the hospital or as a long term rental as needs dictate.			
	What is the general use of the property: <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Multi-Family <input checked="" type="checkbox"/> Other Bed and breakfast			
	Scope of work: <input checked="" type="checkbox"/> Special Use Permit (Limited Use Permit):			
	<input checked="" type="radio"/> Use by Review <input type="radio"/> Home Daycare <input type="radio"/> Home Occupation (Total # of children: _____) <input type="radio"/> Other: _____ <input type="checkbox"/> Variance: <input type="radio"/> Setback <input type="radio"/> Parking <input type="radio"/> Landscape <input type="radio"/> Lighting <input type="radio"/> Height <input type="radio"/> Signs <input type="radio"/> Other: _____ <input type="checkbox"/> Appeal: <input type="radio"/> ZBA Decision (Case Number: ZBA-_____-_____) <input type="radio"/> Administrative Official Determination <input type="radio"/> Other: _____ <input type="checkbox"/> Other: _____			

06/2020

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Attachment Checklist:	
Attachments	The following list of attachments are required to accompany all applications:
	<input type="checkbox"/> A. Detailed explanation of the request as listed above. Be specific. <input type="checkbox"/> B. Justification of facts required for the request. Be specific <input type="checkbox"/> C. Site plan, if variance. Must depict requested variance on plan. <input type="checkbox"/> D. Applicable application (i.e. business license, Home Occupation Questionnaire). <input type="checkbox"/> E. Photographs. <input type="checkbox"/> F. Additional information that you believe justifies the request. <input type="checkbox"/> G. Copy of determination letter, if appealing Administrative Official Determination. <input type="checkbox"/> H. Pueblo County Assessor's Property Information print out www.co.pueblo.co.us
Terms	By signing below, the Property Owner and Applicant are representing that each understands and agrees to the following terms:
	<ol style="list-style-type: none"> 1. Authorized personnel from the City of Pueblo, are hereby granted the right to enter the subject property for the purposes of reviewing and processing the application. 2. There are no known hazards or vicious animals present on the subject property. 3. All requisite fees have been paid to the City of Pueblo. 4. All information in this application, and all attachments, are true and accurate to the best of my knowledge. 5. The City of Pueblo is under no obligation to approve the request contained in this application. No promises of approval are conveyed with the acceptance of this application. 6. It is highly recommended that a licensed surveyor complete a property survey before any construction takes place. The property owner is responsible for any construction that takes place within the boundaries of their property. The city may require any construction built outside of the property legal boundaries or within any setbacks (by intent or error), to be removed at the owners' expense.
Signatures	Property Owner
	Print Name: Brad Roberts
	Signature:  Date: 11/25/20
	Applicant, if different from Property Owner
Print Name: 	
Signature: Kyirstin Roberts Date: 11/25/20	

Office Use Only	Zoning Compliance (Completed by City Staff)	
	Application received by:	Date:
	Application checked for completeness by:	Date:
	Case Manager:	Fee Paid:
	Hearing date:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Approved w/conditions
	Case #:	

Exhibit I. Supporting Documents

Pueblo County Assessor Parcel 525131008

Name: ROBERTS BRAD A
Location Address: 327 W 17TH ST, PUEBLO, CO 81003 2601
Mailing Address: 5615 MARK TWAIN LN, PUEBLO, CO 81008 9703
Assessor Nbh: 60 (CENTRAL PARK, PUEBLO, CO-ADD) **Tax District:** 60B
Legal Description: LOTS 15 + 16 BLK 24 BROWNS ADD A/K/A HENRY C BROWNS ADD

Land Information:	SITUS	Abstract Class SING FAM RES LAND (R-2)	Actual Value 10710	Assessed 770
Improvements:		SINGLE FAMILY RES	72646	5190
Total Value, Land and Imps:			83356	5960

Residential Structure #1	Year Built:	1924	Year remodeled:	2019
No Garage or Carport	Rooms:	6	Bedrooms:	3
Effective Year Built: 1957	Bathrooms:	1		
	First Floor:	1204	Above First Floor:	1204
	Half Story Area:	1204	Total Basement Area:	432
	Finished Basement:	204		
	Total Garage Area:	0	Total Carport Area:	0
No Photo Available!	Total Porch:	635	Roof Type:	Gable Roo
	Composition:	Asphalt Sgls		
	HVAC:			
	Fireplace:	NO	Landscaping:	NO
	Misc:			

Current Tax Information for tax year 2019

Mill Levy: 0	Property Type: PCD FEE	Total Tax Amount: \$	\$11.12
Mill Levy: 99.101	Property Type: REAL	Total Tax Amount: \$	\$590.64

... (Continued on next page) ...

Pueblo County Assessor Parcel 525131008

Current Transfer Information

Sale Date	Sale Amount	Grantor	Grantee	Other Details
08/17/20 2189248	N/A	WALLERSTON TRUST BANN	ROBERTS BRAD A	Rcpt# 2189248 Bk/Pg 0/0 HISTORY UPDATE
04/01/19 2165509	N/A	BANNER D J/THURSTON	WALLERSTON TRUST/BANN	Rcpt# 2165509 Bk/Pg 0/0
04/28/04 1565682	N/A	BANNER DONALD J	BANNER D J/THURSTON	Rcpt# 1565682 Bk/Pg 0/0
04/28/04 1563943	N/A	RANDY + DON PARTNERSH	BANNER DONALD J	Rcpt# 1563943 Bk/Pg 0/0
11/02/98 1247135	51500	SAME	THURSTON RANDY/BANNE	Rcpt# 1247135 Bk/Pg 0/0 HISTORY UPDATE
11/02/98 1247137	N/A	THURSTON RANDY/BANNE	RANDY + DON PARTNERSH	Rcpt# 1247137 Bk/Pg 0/0
08/04/92 982741	N/A	PULTS CARRIE GUSTAVA	SAME	Rcpt# 982741 Bk/Pg 0/0
03/09/92 968362	N/A	PLUTS CARRIE G	PULTS CARRIE GUSTAVA	Rcpt# 968362 Bk/Pg 0/0
04/01/91 944423	N/A	PLUTS JIM G + CARRIE	PLUTS CARRIE G	Rcpt# 944423 Bk/Pg 0/0
11/20/90 935303	35000	HART CLYDE H + HAZEL	PLUTS JIM G + CARRIE	Rcpt# 935303 Bk/Pg 0/0 HISTORY UPDATE
N/A 739602	5000	HART CLYDE H + HAZEL	HART CLYDE H + HAZEL	Rcpt# 739602 Bk/Pg 0/0

Summary

Details			
Name	Rosemary Rentals		
Status	Good Standing	Formation date	08/13/2020
ID number	20201699100	Form	Limited Liability Company
Periodic report month	August	Jurisdiction	Colorado
Principal office street address	5615 Mark Twain Ln, Pueblo, CO 81008, United States		
Principal office mailing address	n/a		

Registered Agent	
Name	Kjirstin Roberts
Street address	5615 Mark Twain Ln, Pueblo, CO 81008, United States
Mailing address	n/a

Attachments for Zoning Commission Application:

- A. Brad Roberts is an Emergency Medicine Physician who practices at Parkview Medical Center. He and his wife, Kjirstin Roberts purchased the property, 327 W 17th St. which is located across the street from Parkview Medical Center in anticipation of using this as a place for nurses and physicians who are in need of a place to stay short term having a place to stay. The home has been significantly renovated in anticipation of this. This may also be used as place for families/friends with loved ones in the hospital as a place to stay where they can be near them with the comforts and conveniences a nice home would offer. It may also be utilized as a short term rental for travel nurses or locums doctors as circumstances may dictate.
- B. The facts provided are accurate and require no further justification to our knowledge.
- C. N/A
- D. Pending approval of current application. Business is Rosemary Rentals. See information attached below.
- E. Photographs attached
- F. This will provide physicians and nurses a safe place to stay right across the street from the hospital. This will improve safety limiting travel often after busy shifts. The property has been significantly improved in anticipation of this which improves surrounding property values and appearance of Pueblo to guest. This will also allow money spent on lodging to remain local in the local economy. In short, this will allow medical professionals and/or patients families/friends a cheaper, safer, and more convenient place to stay while keeping money local.
- G. N/A
- H. See below.