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Georgia Way

ZBA-20-41 Request for Extension

To: City of Pueblo Zoning Board of Appeals

From: Danielle Baxter, Planner

Through: Scott Hobson, Land Use Administrative Official

Date: November 10, 2021

Subject: **An extension request for a variance to allow a second accessory structure over 200' sq. and to reduce the side yard setback in a Single Family Residential (R-2) Zone District.**

Location: 620 W. 18th St, Pueblo, CO 81003
LOT 5 + 6, BLOCK 11, BARTLETT + MILLERS ADDITION

Applicant: Charles Hernandez
620 W. 18th St, Pueblo, CO 81003

Property Owner: Same as applicant

Zone District: Single Family Residential (R-2) Zone District

CLARIFICATION OF PURPOSE

The applicant, Charles Hernandez, has requested a one-year extension of the conditions pertaining to the variance to allow a second accessory structure over 200' sq. and to reduce the side yard setback in a Single Family Residential (R-2) Zone District. The Variance was originally granted December 15, 2020. The original variance stated the structure must include gutters and downspouts along the west elevation for all stormwater and debris to be directed into the alley. On inspection there is a downspout missing along the alley, but the gutters are installed, and the garage is constructed.

The subject property had an existing four hundred eighty-four (484) square foot detached garage which sits on the western edge of the property with a zero (0) foot setback rendering it a non-conforming structure under Sec. 17-4-23 (a)3. However, since the applicant already has a detached accessory structure on the property a variance was required for the new garage. The new garage was constructed behind the existing detached structure and accessed from the rear alley.

The applicant is requesting a one-year extension to complete the garage and add the required downspout off the gutters. The applicant hired DiVinci Construction, LLC to complete the

construction project. The contractor completed a majority of the work for the structure but there are outstanding issues with construction that the applicant is working to resolve with the builder. Mr. Hernandez has made several attempts to resolve these issues with no response from the contractor since August 26, 2021. Mr. Hernandez is considering options to proceed, including retaining legal counsel. Consequently, Mr. Hernandez is not optimistic this project will be completed by December 15, 2021, and respectfully requests an extension.

Staff recommends a one-year extension for the required downspouts to be added to the garage. The original staff report requested two staff conditions, in addition to the thirteen standard conditions, which the Planning Dept asks the Board condition.

FINDINGS OF FACT FOR USE BY REVIEW REQUIREMENTS

The request for an extension does not change the previous findings of fact.

FACTORS CONSIDERED IN GRANTING AN EXTENSION FOR A VARIANCE

The request for an extension does not change the factors considered.

PLANNING AND COMMUNITY DEVELOPMENT STAFF RECOMMENDATION

Staff recommends approval of the extension with the same conditions per the original staff report:

1. The new accessory structure must be architecturally similar to the existing structures.
2. The structure must include gutters and downspouts along the west elevations in which all stormwater and debris is directed onto the subject property and no structural encroachment occurs.

Updated Site Photographs:



