

Mike Castellucci  
Chair

Steve Anselmo  
Vice Chair



Lisa Bailey  
Secretary

Yvonne Lujan-Slak

Georgia Way

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## ZBA-22-13

Hearing Date: April 26, 2022

**TO:** City of Pueblo Zoning Board of Appeals  
**FROM:** Bart Mikitowicz, Planner  
**THROUGH:** Scott Hobson, Land Use Administrative Official  
**LOCATION:** 519 Broadway Ave, Pueblo, CO 81004  
**APPLICANT:** Mike Wells  
**PROPERTY OWNER:** Mike Wells  
**YEAR BUILT:** 1915  
**LEGAL DESCRIPTION:** SELY 90 FT OF LOTS 17 + 18 + UND 1/3 OF SE 10 FT OF NW 100 FT OF 17 TO 20 INC BLK 122 COLORADO COAL + IRON COMPANYS ADDITION NO 1  
**ZONE DISTRICT:** Single-Residential (R-2) Zone District  
**PARCEL ID:** 1502130008  
**LOT SIZE:** 4,211 sqft

|                 |  |
|-----------------|--|
| <b>REQUEST:</b> | Special Use Permit to allow for a Residence, two-family (duplex) in a Single-Residential (R-2) Zone District |
|-----------------|--|

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### SYNOPSIS OF REQUEST

Currently the Owner, Mr. Wells, is formally remodeling the interior of the subject property (which already features multiple kitchens, bathrooms, and parking spaces) into a duplex. A Residence, two-family (duplex) is a use-by-review in a Residential (R-2) Zone District where the property is located. Therefore, the applicant is requesting a Special Use Permit to allow for this use at this location.

### ANALYSIS OF REQUEST

519 Broadway Ave is a 2,000-sf. single-family residence built in 1915 and is located at the northern corner of the Orman Ave. and Broadway Ave. northwest of Central Highschool in the Colorado Coal & Iron Addition. The applicant has submitted a floor plan for the interior remodel that will transform the single-family home into a duplex. The site features adequate parking, ingress, egress, and refuse storage. This use is also copacetic with the Urban Residential future land use designation because it is adding residential density at this location. Planning staff does not project any negative externalities in development of this property for this use.

**ZONING DISTRICT AND LAND USE**

|       |  |                           |
|-------|--|---------------------------|
| Zone: |  | Developed with:           |
| North | Multiple Residential and Office (R-5) District | Single-family Residential |
| East  | Government Use (S-1) Districts                 | Pueblo Central Highschool |
| South | Single-family Residential (R-2) Zone District  | Single-family Residential |
| West  | Single-family Residential (R-2) Zone District  | Tabor Lutheran Church     |

**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**

|                                      |            |
|--------------------------------------|------------|
| Pueblo City/County Health            | No comment |
| City Transportation                  | No comment |
| Pueblo Regional Building Department  | No comment |
| Fire Department                      | No comment |
| City Public Works Department         | No comment |
| City Stormwater Department           | No comment |
| City Code Enforcement                | No comment |
| Pueblo Board of Water Works          | No comment |
| City Wastewater Department           | No comment |
| City Parks and Recreation Department | No comment |

**CONDITIONS REQUIRED FOR LIMITED USE PERMIT**

1. Ingress and egress to property and proposed structures thereon with reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

**Comments: Affirmative Finding. The home and parking are accessed off the existing curb cut on Orman Ave.**

2. 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. There are two paved off-street parking spots accessed from Orman Ave. located off the ally connected to Orman Ave.**

3. Refuse and service areas, with reference to the items above.

**Comments: Affirmative finding. All refuse will be collected and maintained on-site in residential tots.**

4. Utilities, with reference to the location's availability and compatibility.

**Comments: Affirmative finding. Utilities are already established at this location.**

5. Screening and buffering with reference to type, dimensions, and character.

**Comments: Affirmative finding. Because this is a residential use, adjacent to other residences, screening and buffering will not be required for this use at this location.**

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. As a residential duplex there is no additional signage or lighting anticipated with this permit type.**

7. Required yards and other open space.

**Comment: Affirmative finding. The applicant must comply with required yards and setback for this site.**

8. General compatibility with adjacent properties and other properties in the district.

**Comments: Affirmative finding. The duplex use is compatible with the Urban Residential future land use for this site and the surrounding residential units adjacent to the site.**

#### **PLANNING AND COMMUNITY DEVELOPMENT STAFF RECOMMENDATION**

If the Board chooses to approve this Special Use Permit staff recommends only Standard Permit Conditions 1 through 13 as.

#### **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 A. Standard Permit Conditions**

| <b>Standard Permit Conditions</b><br>Date of Issuance of Permit: <b>ZBA-22-13</b> |   |
|---|---|
| 1.  | <b>Time Limits</b> Zoning permit shall become invalid unless work or action authorized by permit is fully executed by <b>4/26/2023</b>  |
| 2.  | <b>Required Revisions</b> 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.  | <b>Changes</b> 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.  | <b>Property Inspection</b> 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.  | <b>Certificate of Occupancy</b> 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.  | <b>Completion and Maintenance of Improvements and Landscaping</b> 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.  | <b>Building Permit; Other Permits</b> Permit holder is solely responsible for obtaining <u>BUILDING PERMIT</u> and all other applicable local, state and federal permits.   |
| 8.  | <b>Off-Site Drainage</b> 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.  | <b>Appeals</b> 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.   | <b>Errors</b> 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.   | <b>Transfer of Ownership</b> 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.   | <b>Violations/Penalties</b> 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.   | <b>Incorporation and Reference of All Plans Presented to the Zoning Board of Appeals.</b> 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.   |

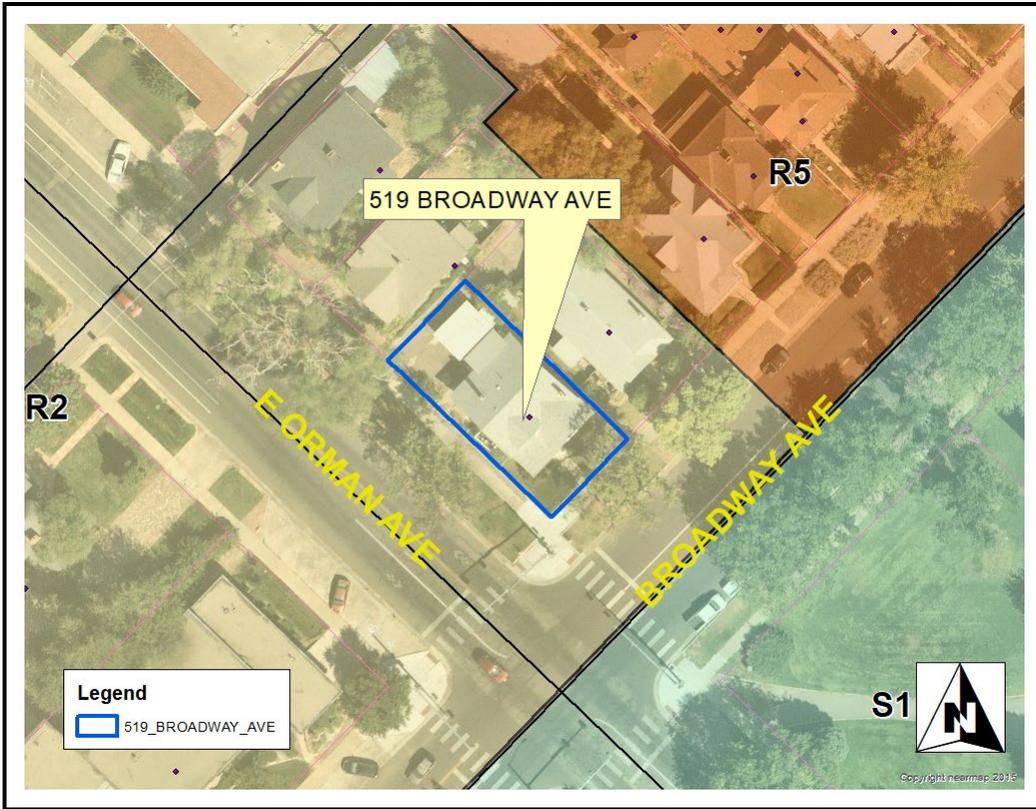
**Exhibit B. Site Map**



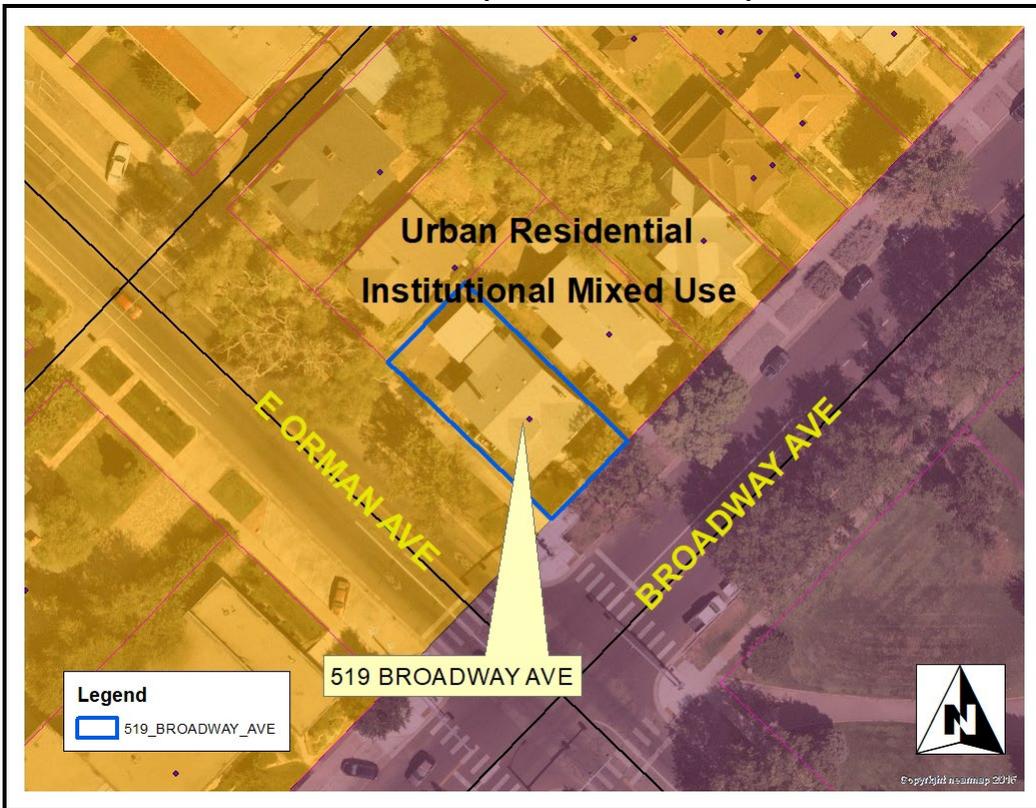
**Exhibit C. Aerial Map**



**Exhibit D. Zoning Map (Zoning Map Amendments Recommended)**



**Exhibit E. Comprehensive Plan Map**





**Exhibit F. Public Notice**



**Exhibit G. Site Photos**



03/17/2022

**22-46**

Zoning Board of Appeals - Special Use Permit & Variances

**Status:** Active

**Date Created:** Mar 15, 2022

**Applicant**

Angie Perdios  
 angie1.realtor@outlook.com  
 520 Dittmer Avenue  
 Pueblo, CO 81005  
 719-571-0005

**Location**

519 BROADWAY AVE  
 PUEBLO, CO 81004

**Owner:**

Mike Wells  
 519 BROADWAY AVE PUEBLO , CO 81004

**Internal**

**ZBA Case Number**

ZBA-22-13

**Planner Assigned**

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**ZBA**

**Hearing Date**

04/26/2022

**Hearing Results**

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**Board Conditions**

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**Appeal Term End Date**

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**Permit Completion Date**

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**Specially Requested Hearing**

**Public Notice**

**Number of Posters**

1

**Number of Postcards Sent**

9

**Cost of Newspaper Notice**

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**Public Notice Costs**

10

**Other Fees:**

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**Public Notice costs must be paid by:**

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**Public notice zoning poster must be displayed BY:**

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**Public Notice zoning poster must be displayed UNTIL:**

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**Scope of Work**

**Type of Request**

Use by Review (Special/ Limited Use Permit)

**Type of Use by Review**

Special Use Permit

**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

Property Owner Affidavit

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

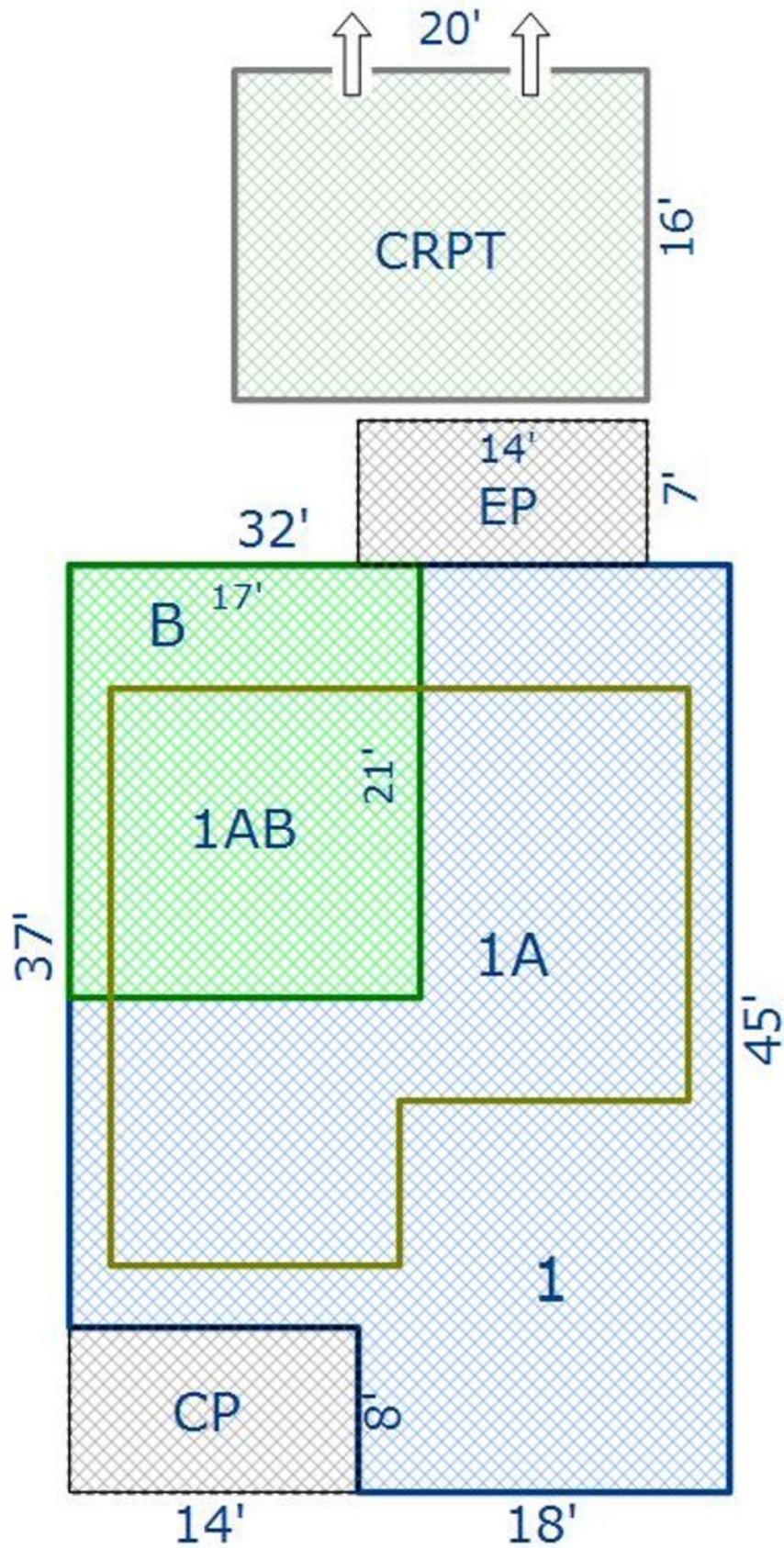
|   |                                   |           |            |
|---|-----------------------------------|-----------|------------|
| <b>Property Owner:</b>                              |                                   |           |            |
| Name: MIKE WELLS                                    |                                   | Company:  |            |
| Address: 520 DITMER AVE.                            |                                   |           |            |
| City: PUEBLO  |                                   | State: CO | Zip: 81005 |
| Phone: (719) 671-4930                               | Email: sllewan@yahoo.com          |           |            |
| <b>Applicant:</b>                                   |                                   |           |            |
| Name: ANGIE PERDIOS                                 |                                   | Company:  |            |
| Phone: (719) 571-0005                               | Email: angie1.realtor@outlook.com |           |            |
| Property Address: 519 BROADWAY AVE PUEBLO CO 81004. |                                   |           |            |

I, MIKE WELLS, hereby state that I am the owner of record of the property located at 519 Broadway Avenue Pueblo CO 81004, Pueblo, Colorado, and further acknowledge that by signing this affidavit I authorize the submission of an application for a special use permit at said location.  
(application type)

Signature of Property Owner

3-15-22

Date



**Exhibit I. Supporting Documents**

