

Mike Castellucci
Chair

Steve Anselmo
Vice Chair



Lisa Bailey
Secretary

Yvonne Lujan-Slak

Georgia Way

ZBA-22-19

Hearing Date: 5/24/2022

TO: City of Pueblo Zoning Board of Appeals
FROM: Bart Mikitowicz, Planner
THROUGH: Scott Hobson, Land Use Administrative Official
LOCATION: 2111 Driftwood Ln., Pueblo, CO 81005
APPLICANT: John Trujillo
PROPERTY OWNER: John Trujillo
YEAR BUILT: 1960
LEGAL DESCRIPTION: LOT 6 BLK 18 LYNN GARDENS 5TH
ZONE DISTRICT: Single-family Residential (R-2) Zone District
CONCURRENT REQUEST(S):
PARCEL ID: 1515209006
LOT SIZE: 783 sq. ft.

REQUEST: Variance to reduce the required side-yard setbacks for a garage and carport from five feet (5') to two and a half feet (2.5') in a Single-family (R-2) Zone District

SYNOPSIS OF REQUEST

The applicant, Mr. Trujillo, intends to build a seven hundred square foot (700 SF) garage and five hundred fifty square foot (550 SF) carport attached to the principal structure at 2111 Driftwood Lane. However, based on the current site plans, the carport and garage encroach two and a half feet (2.5') into the side-yard setback. Therefore, Mr. Trujillo is requesting a variance of two and a half feet (2.5') to the side-yard setback in order to build these structures to plan.

ANALYSIS OF REQUEST

2111 Driftwood Lane is a 783-sf. single-family home built in 1960. The building is in the Lynn Gardens Subdivision, southwest of Beckwood Park. Currently the house only has one small accessory structure (shed) located along the southern property line that will be removed to the build the new structures. The applicant has indicated that both new structures would be stick-built and be architecturally with the existing principal structure. The house was built in 1960, there is no alley access to the property, nor does it appear that a parking structure has ever existed onsite previously.

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	Single-family Residential (R-2) Zone District	Single Family Homes
West	Single-family Residential (R-2) Zone District	Single Family Homes

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 VARIANCE

1. The variance will not: reduce the required light and air to adjacent properties; constitute a nuisance to the properties within one hundred (100) feet of the property for which the variance is requested; or substantially reduce the monetary value of properties within one hundred (100) feet of the property for which the variance is requested.

Comments: Neutral Finding. While the existing neighbor has provided a letter of support for this application, ultimately light and air between the properties will be reduced which could impact the value of the adjacent property to the south.

2. The variance will not affect general planning of the city with respect to land use and the location of streets and highways will not be jeopardized.

Comments: Affirmative finding. This Variance will not negatively affect land use planning or the location of streets and highways.

3. Strict adherence to this Title would not secure appropriate development of the property for which the variance is requested.

Comments: Neutral Finding. The Variance in question could be avoided by reducing the size of both structures by 2.5'. However, the applicant has indicated that this would create both an awkward parking situation, inadequate storage, and would be visually undesirable.

4. The property for which the variance is requested suffers a unique or singular disadvantage, not common to other property in the district, through the operation of this Title.

Comments: Neutral Finding. This is a self-imposed hardship, but the age of the home and the lack of alley access has resulted in limited options for off-street vehicle storage.

PLANNING AND COMMUNITY DEVELOPMENT STAFF RECOMMENDATION

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

ATTACHMENTS

- A. Standard Permit Conditions
- B. Location Map
- C. Site 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

Standard Permit Conditions Date of Issuance of Permit: 5/24/2022	
1.	Time Limits Zoning permit shall become invalid unless work or action authorized by permit is fully executed by 5/24/2023
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.

Exhibit B. Location Map



Exhibit C. Site Map

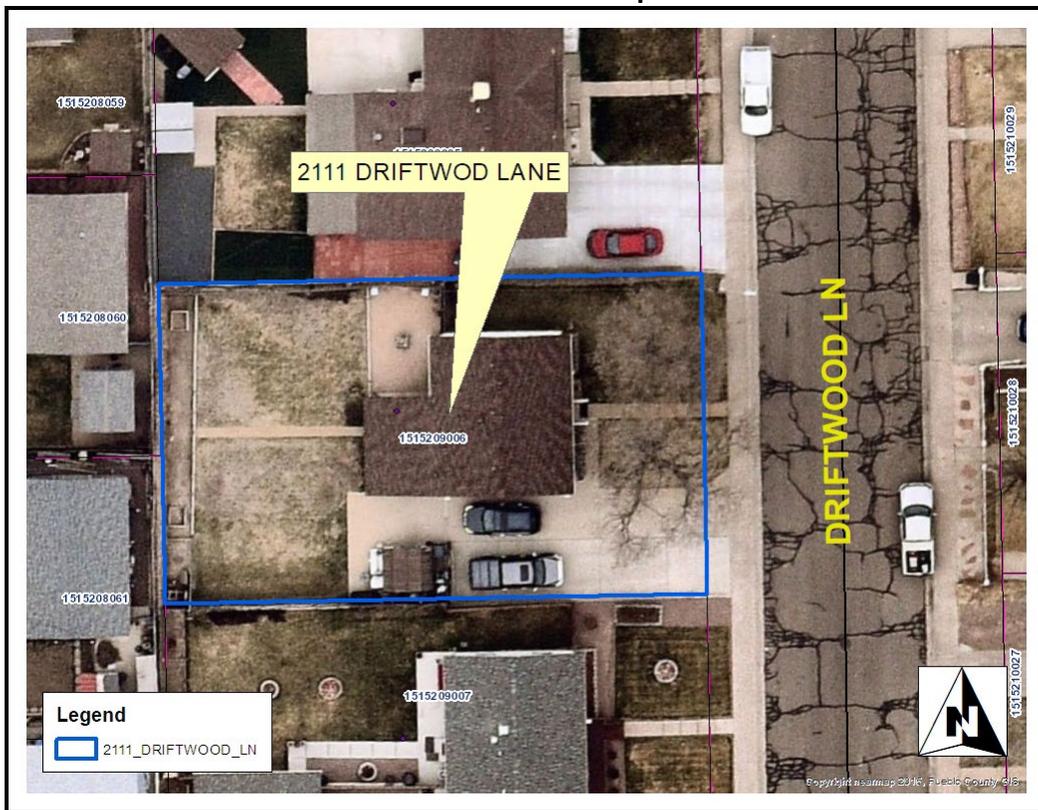


Exhibit D. Zoning Map

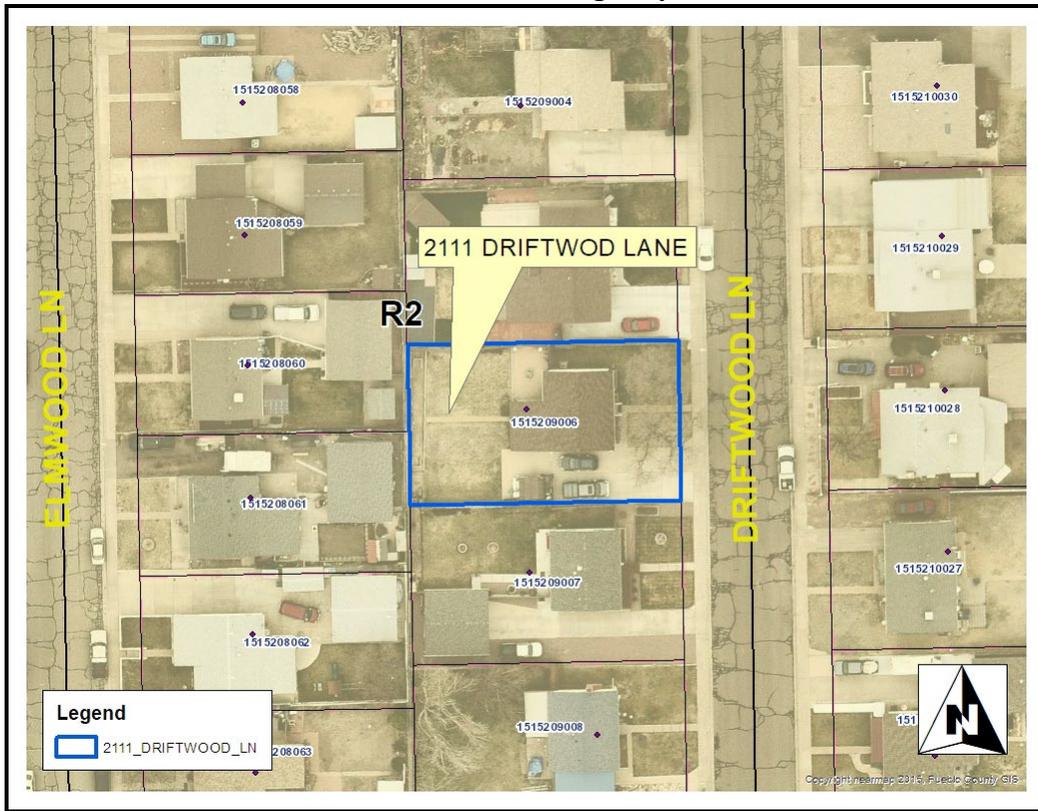


Exhibit E. Comprehensive Plan Map

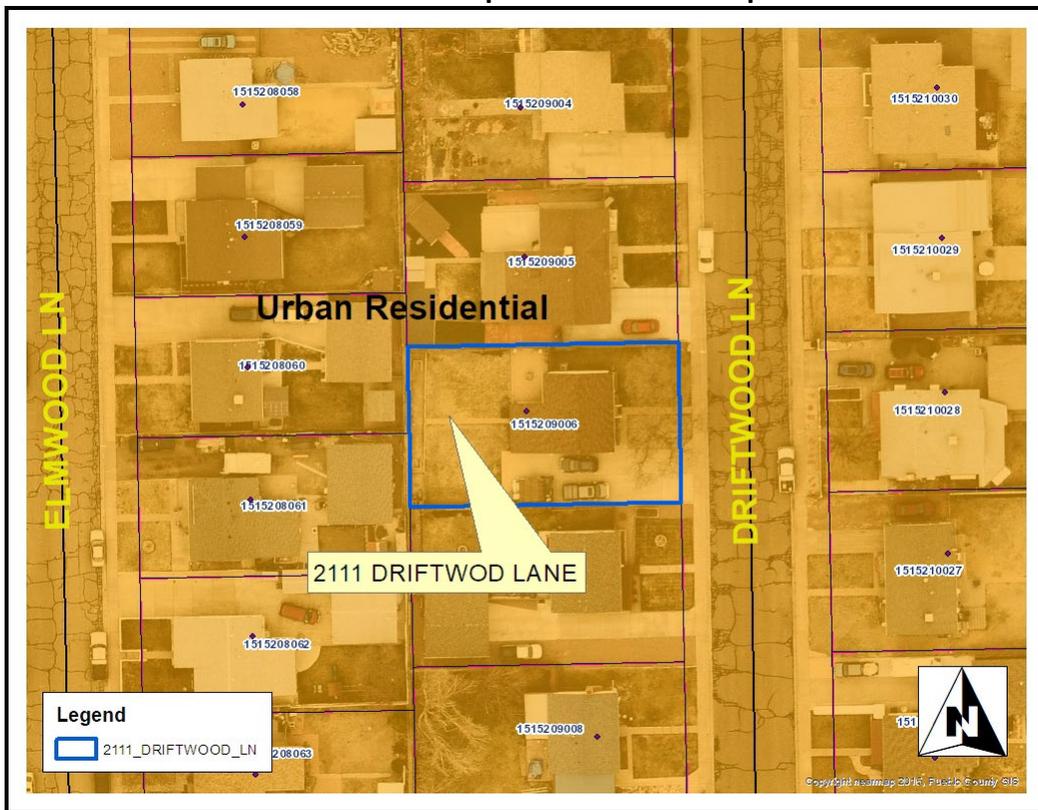
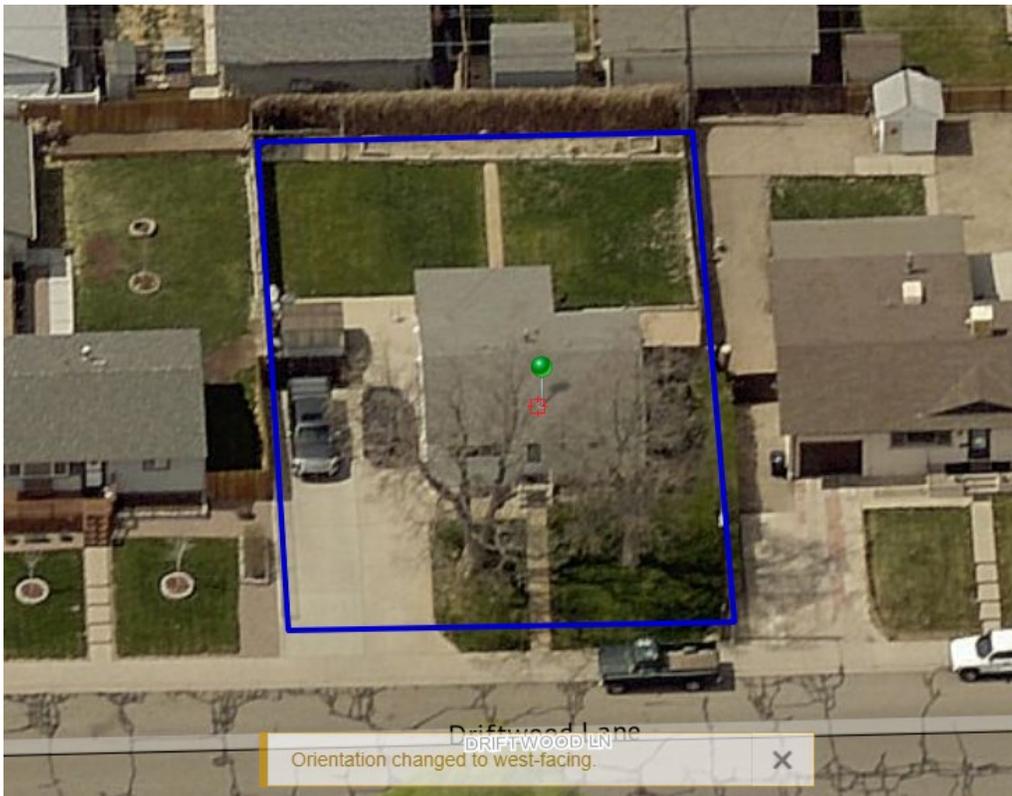


Exhibit F. Public Notice

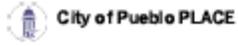


Picture taken from Driftwood Lane facing West

G. Site Pictures







04/29/2022

22-68

Zoning Board of Appeals - Special Use Permit & Variances

Status: Active

Date Created: Apr 29, 2022

Applicant

John Trujillo
jaramillojule1130@gmail.com
2111 Driftwood Ln.
Pueblo, CO 81005
719-994-0471

Location

2111 DRIFTWOOD LN
PUEBLO, CO 81005

Owner:

TRUJILLO JOHN/TRUJILLO JULIE L
2111 DRIFTWOOD LN PUEBLO , CO 81005-2722

Internal

ZBA Case Number
ZBA-22-19

Planner Assigned
--

ZBA

Hearing Date
05/24/2022

Hearing Results
--

Board Conditions
--

Appeal Term End Date
--

Permit Completion Date
--

Specially Requested Hearing

Public Notice

Number of Posters
--

Number of Postcards Sent
--

Cost of Newspaper Notice
--

Public Notice Costs
0

Other Fees:
--

Public Notice costs must be paid by:
--

Public notice zoning poster must be displayed BY:
--

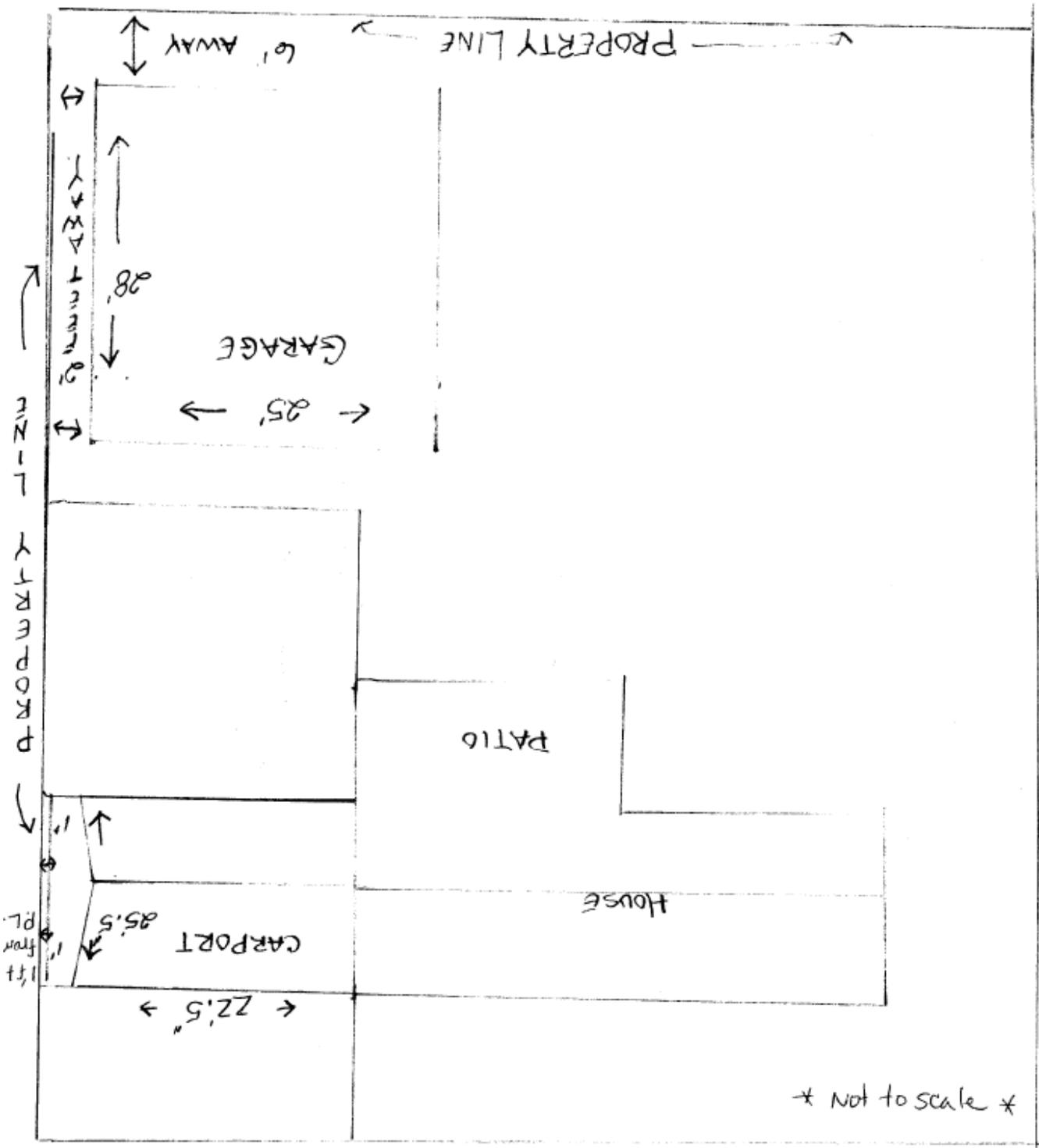
Public Notice zoning poster must be displayed UNTIL:
--

Scope of Work

Type of Request
Variance

Variance Type
--

Exhibit I. Supporting Documents



2111 Driftwood Ln.
Pueblo, CO 81005

4-29-22

To Whom it may Concern :

My name is John A. Trujillo . I have been in my home since 2009. I purchased it w/o a garage . I'm wanting to get a detached garage + Carport as I am now able , monitarily , to do so . The detached garage will be same color + stucco as our home . Thank you for your consideration .

Thank you ,
John A. Trujillo

Orlando Sena
Property owner
2113 Driftwood Ln, 81005
Pueblo, Colorado
April 23, 2022

To whom it may concern,

I Orlando Sena. Give Tony Trujillo my permission. To build a structure two feet away from my property line "2113 Driftwood Ln" on the south west corner of his property "2111 Driftwood Ln". For any other questions and concerns please contact me at (719) 671-6501.

X Orlando Sena 4/23/22
Orlando Sena

X Tony Trujillo 4/22/22
Tony Trujillo