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Georgia Way

ZBA-22-37

Hearing Date: 8/23/2022

TO: City of Pueblo Zoning Board of Appeals
FROM: Bart Mikitowicz, Senior Planner
THROUGH: Scott Hobson, Land Use Administrative Official
LOCATION: 1703 E 2nd St, Pueblo, CO 81001
APPLICANT: Melissa Goehring
PROPERTY OWNER: Realmad Holdings & Investment LLC
YEAR BUILT: 1949
LEGAL DESCRIPTION: LOTS 21-22-23-24 BLK 263 EAST PUEBLO HEIGHTS SUB
ZONE DISTRICT: Single Family Residential (R-2) Zone District
PARCEL ID: ZBA-22-37
LOT SIZE: 9,440 sqft

REQUEST:	Special Use Permit for a duplex in a Single Family Residential (R-2) Zone District
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SYNOPSIS OF REQUEST

The applicant, Ms. Goehring, desires to establish a duplex at 1703 E 2nd St. A duplex means a residential building designed as a single structure, containing two (2) dwelling units, and designed for occupancy by not more than two (2) families. According to section 17-4-51 (c), a residence, two-family (duplex) is a use by review in a Single-family Residential (R-2) Zone District, therefore the applicant is required to obtain a Special Use Permit at this location, before proceeding.

ANALYSIS OF REQUEST

1703 E 2nd St. is a seven hundred twenty (720) square foot, single-family home built in 1949. The building is in the East Pueblo Heights Subdivision, within the the Lower East Side neighborhood. The principle structure is on a corner lot and does not encroach into the front or second-front setbacks. The duplex will be an upstairs-downstairs format that does not expand the existing building footprint. The surrounding properties are all zoned R-2. The west side of the property along N. Portland Ave, has a steep grade and no curb cut. Access (ingress and egress) for the proposed duplex would be taken from E 2nd St. The parcel is 12,000 square feet providing adequate room for the required two paved off-street parking spaces; which is indicated on Plans provided by the applicant. Trash will be collected in residential totes from E 2nd St.

ZONING DISTRICT AND LAND USE

Zone:		Developed with:
North	Single-family Residential (R-2) Zone District	Single-family Residential
East	Single-family Residential (R-2) Zone District	Single-family Residential
South	Single-family Residential (R-2) Zone District	Single-family Residential
West	Single-family Residential (R-2) Zone District	Single-family Residential

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. There is ingress and egress located off E 2nd St.

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. Plans indicated two off-street, paved parking spaces located outside of the required setbacks.

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.

Affirmative finding. The proposed duplex is located adjacent to single-family residences. Because the proposed duplex is a lower density residential use adjacent to other low density uses, screening and buffering staff does not anticipate a need for screening and buffering.

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 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. A duplex is compatible with the Urban Neighborhood future land use for this 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 well as the below listed staff condition.

1. Provided two, paved, off-street parking spaces, located outside of the required front and side yard setbacks, §17-4-42 Off-street parking standards.

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

Standard Permit Conditions Date of Issuance of Permit: ZBA-22-37	
1.	Time Limits Zoning permit shall become invalid unless work or action authorized by permit is fully executed by 8/23/2023
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. Site Map



Exhibit C. Aerial Map



Exhibit D. Zoning Map

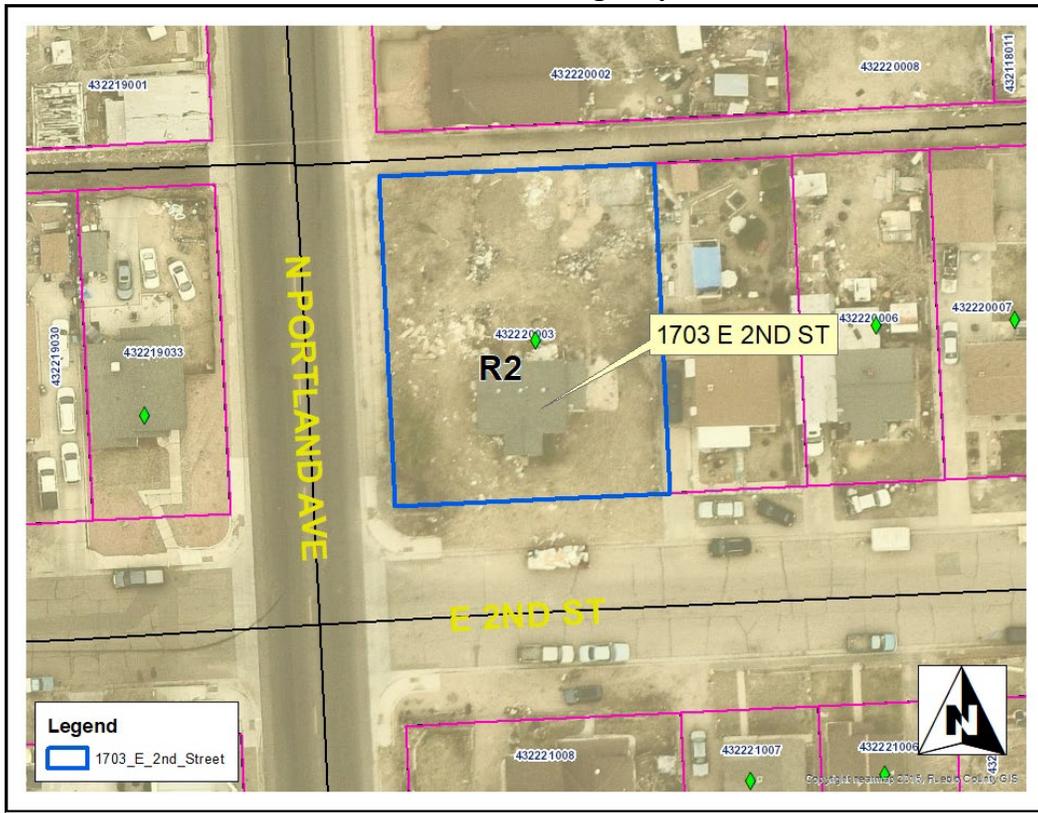


Exhibit E. Comprehensive Plan Map



Exhibit F. Public Notice



Exhibit G. Site Photos



H. Application



07/12/2022

22-125

Zoning Board of Appeals - Special Use Permit & Variances

Status: Active

Date Created: Jul 12, 2022

Applicant

Melissa Goehring
mdconstructionpueblo@gmail.com
2840 Lake Ave
Pueblo, CO 81004
(719) 251-3796

Location

1703 E 2ND ST
PUEBLO, CO 81001

Owner:

REALMAD HOLDINGS + INVESTMENTS LLC
13866 VANCE LN MANTOWISH WATERS, WI 54545-6360

Internal

ZBA Case Number

ZBA-22-37

Planner Assigned

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ZBA

Hearing Date

08/23/2022

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

--

Number of Postcards Sent

--

Cost of Newspaper Notice

--

Public Notice Costs

0

Other Fees:

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Public Notice costs must be paid by:

--

Public notice zoning poster must be displayed BY:

--

Public Notice zoning poster must be displayed UNTIL:

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Scope of Work

