

ZBA-24-13

Hearing Date: 3/26/2024

TO: City of Pueblo Zoning Board of Appeals
FROM: Mikaylin Hackley
THROUGH: Scott Hobson, Land Use Administrative Official
LOCATION: 132 Cornell Cir
APPLICANT: Greg Tack
PROPERTY OWNER: Valerie Rosolini
YEAR BUILT: 1964
LEGAL DESCRIPTION: LOT 30 BLK 19 SUNSET PK 14TH
ZONE DISTRICT: Single-Family Residential (R-1) Zone District
PARCEL ID: 1503344003
LOT SIZE: 10580

REQUEST: Variance to allow a second accessory structure over two hundred (200) square feet in a Single-Family Residential (R-1) Zone District

DESCRIPTION OF REQUEST

The applicant is requesting a variance to allow a second detached accessory structure on their lot that exceeds two hundred (200) square feet. The applicant currently has an approximately five hundred and twelve (512) square foot detached garage on the property and is proposing a pool house at two hundred and seventy (270) square feet. Chapter 17-4-23 (c) (2) dictates that only one detached accessory structure over two hundred (200) square feet shall be allowed per principal structure on a lot. The new pool house would be constructed in the owner's backyard and will house in-ground swimming pool equipment, provide storage for pool accessories, and be equipped with a restroom and changing area.

ANALYSIS

The principal structure on the property in question was built in 1964 and the existing detached garage was added in 2019. The new proposed structure would not exceed the lot coverage maximum, or the maximum gross area of accessory structures allowed relative to principal structure area. There would also be no affect to roadways or local traffic as the new structure would not be accessed by vehicles. Staff agrees that the proposed pool house would complement the existing use of the property and has no concerns with allowing this variance.

ZONING DISTRICT AND LAND USE

Zone:		Developed with:
North	Single-Family Residential (R-1) Zone District	Single-Family Homes
East	Single-Family Residential (R-1) Zone District	Single-Family Homes
South	Single-Family Residential (R-1) Zone District	Single-Family Homes
West	Single-Family Residential (R-1) 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: Affirmative finding. The proposed use of the accessory structure for pool equipment storage and a restroom should not create any light or air-related burden on surrounding properties.

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. The new structure would not impede any land use plans, and the structure will not be accessed by vehicles.

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

Comments: Affirmative finding. Both the existing and proposed structures would have very different uses, both of which will complement the development of the property.

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. Similar properties in this neighborhood have the same lot space to utilize and are also limited in development by the title in question.

PLANNING AND COMMUNITY DEVELOPMENT STAFF RECOMMENDATION

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

ATTACHMENTS

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

Exhibit A. Standard Permit Conditions

Standard Permit Conditions Date of Issuance of Permit: 3/26/2024	
1.	Time Limits Zoning permit shall become invalid unless work or action authorized by permit is fully executed by 3/26/2025
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. Aerial Map



Exhibit C. Zoning Map

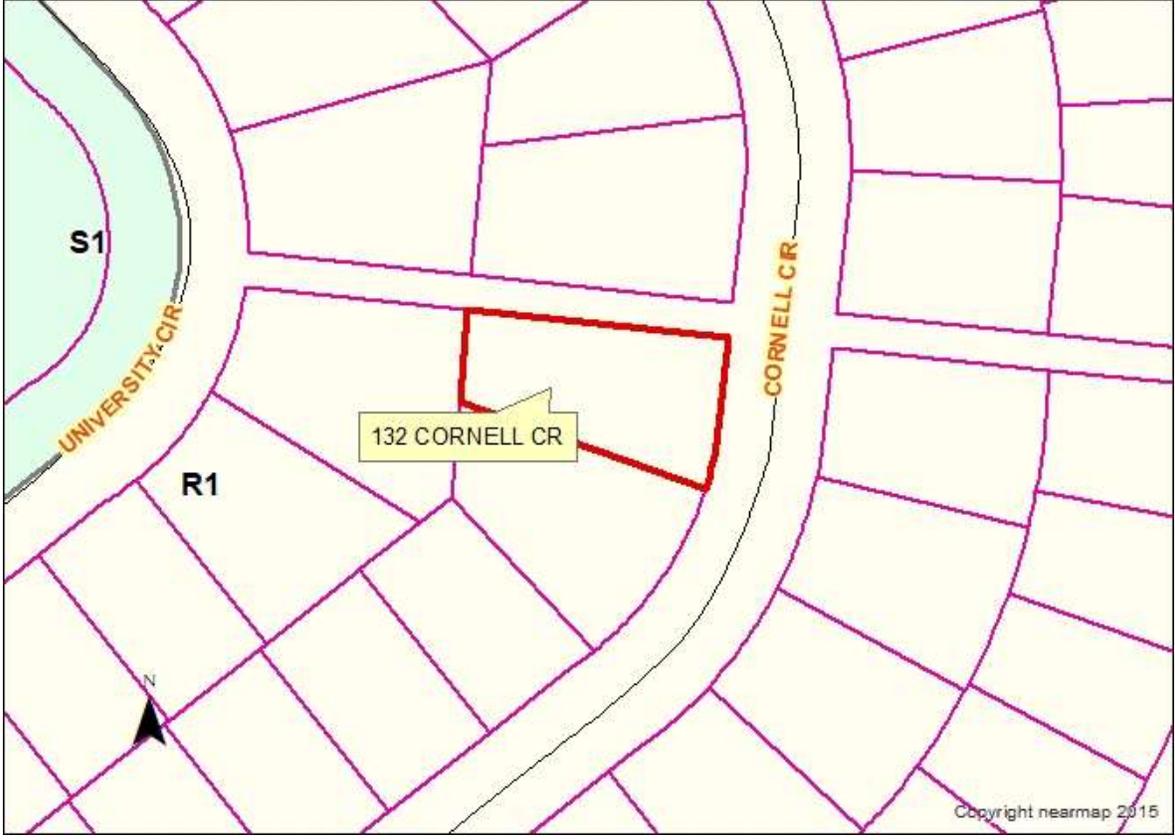


Exhibit D. Comprehensive Plan Map



Exhibit E. Public Notice



Exhibit F. Site Photos



Exhibit G. Application



City of Pueblo PLACE

2/7/2024

24-35
Zoning Board of Appeals -
Special Use Permit &
Variances
Status: Active
Submitted On: 2/7/2024

Primary Location
132 CORNELL CIR
PUEBLO, CO 81005
Owner
ROSOLINI CHAD
M/ROSOLINI VALERIE
CORNELL CIR 132 PUEBLO ,
CO 81005-1613

Applicant
Greg Tack
719-547-0139
gtconstruction90@gmail.com
420 S. McCulloch Blvd.
Unit F
Pueblo West, CO 81007

Internal

🔒 ZBA Case Number

ZBA-24-12

🔒 Planner Assigned

—

🔒 Address Validation by GIS?

ZBA

🔒 Hearing Date

03/26/2024

🔒 Hearing Results

—

Exhibit H. Supporting Documents

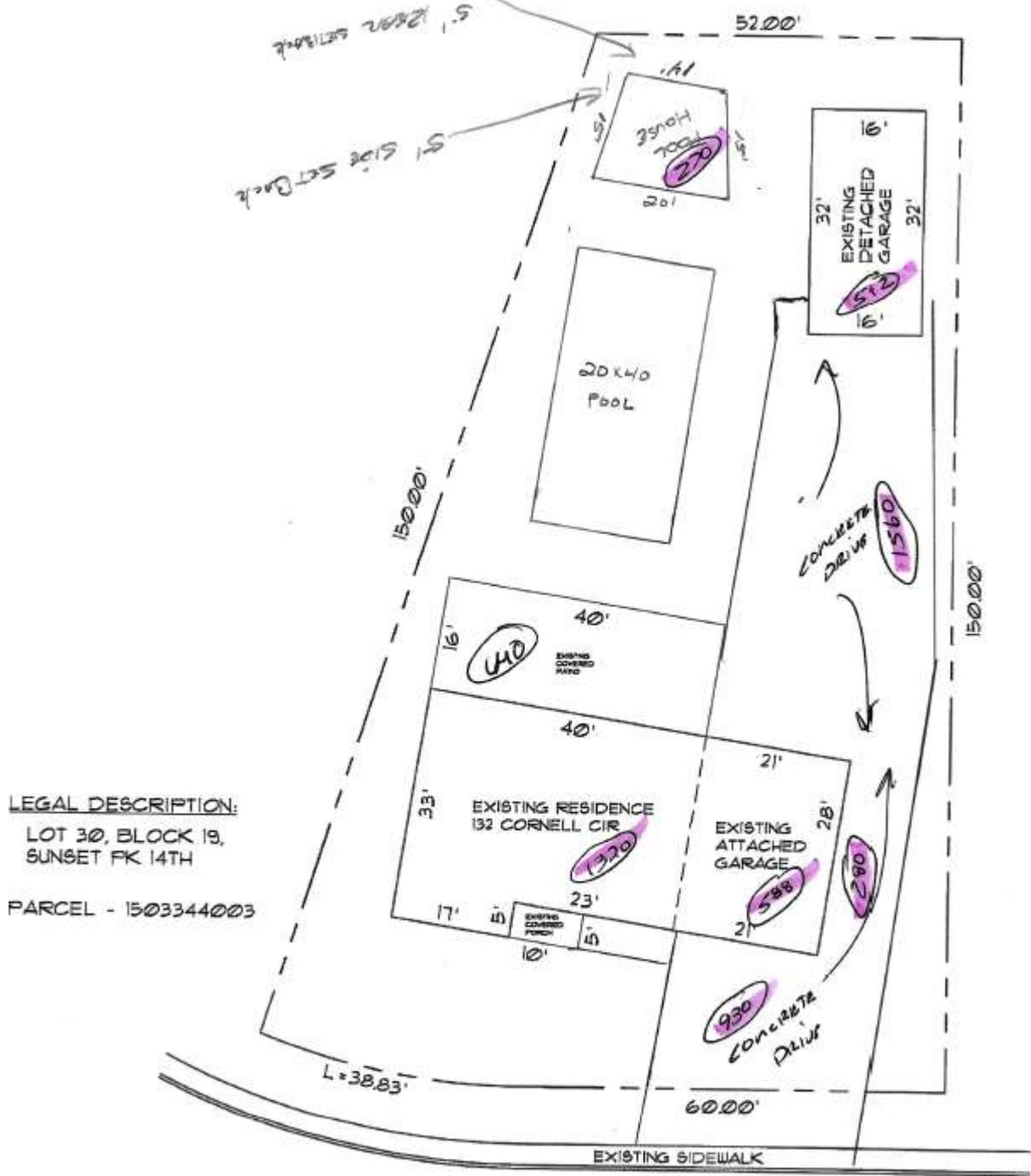
PRELIMINARY PLAN ONLY

The architectural drawings include:

- LEFT-SIDE ELEVATION**: Scale 1/4" = 1'-0". Shows a building with a gabled roof and a vertical support post.
- FRONT ELEVATION**: Scale 1/4" = 1'-0". Shows a building with a flat roof, a door, and a window.
- RIGHT-SIDE ELEVATION**: Scale 1/4" = 1'-0". Shows a building with a gabled roof and a vertical support post.
- FLOOR PLAN**: Scale 1/4" = 1'-0". Shows the interior layout with dimensions: 14'-0" wide, 20'-0" deep, and 18'-0" high. Includes a kitchen area and a living area.
- SITE PLAN**: Scale 1/4" = 1'-0". Shows the building's location on a lot with dimensions and a north arrow.

PRELIMINARY PLAN ONLY

<p>G. T. CONSTRUCTION GENERAL CONTRACTOR PUEBLO, CO, COLORADO</p>	
<p>NEW SWIMMING POOL & EQUIPMENT BUILDING MR. & MRS. NICOLINI 33 CORNELL CIR. - PUEBLO, COLORADO</p>	
	<p>DATE: 1/24/2014</p>
	<p>DRAWN BY: G.T. CONST</p>
	<p>Δ-1</p>



LEGAL DESCRIPTION:
 LOT 30, BLOCK 19,
 SUNSET FK 14TH
 PARCEL - 1503344003



CORNELL CIR (60' ROW)

SITE PLAN
 SCALE: 1" = 20'-0"

NEW SWIMMING POOL
 AND POOL BUILDING FOR
 MR & MRS. ROSOLINI
 GT CONSTRUCTION
 GENERAL CONTRACTOR



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.

Property Owner:		
Name: Valerie Rosolini	Company:	
Address: 132 Cornell Cir		
City: Pueblo	State: CO	Zip: 81005
Phone: 719-406-9744	Email: RosoliniandSon@hotmail.com	
Applicant:		
Name: Greg Tack	Company: GT Construction Company	
Phone: 719-547-0139	Email: gtconstruction90@gmail.com	
Property Address:		

I, Chad Rosolini, hereby state that I am the owner of record of the property located at 132 Cornell Cir., Pueblo, Colorado, and further acknowledge that by signing this affidavit I authorize the submission of an application for a Swimming Pool & Pool House at said location.
(application type)

Signature of Property Owner 1/31/24
Date