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Steve Anselmo
Vice Chair



Lisa Bailey
Secretary

Yvonne Lujan-Slak

Georgia Way

ZBA-24-12

Hearing Date: 4/23/2024

TO: City of Pueblo Zoning Board of Appeals
FROM: Wade broadhead, Sr. Planner
THROUGH: Scott Hobson, Land Use Official
LOCATION: 1909 E. Routt Ave.
APPLICANT: Indringa Homes (CLLC)
PROPERTY OWNER: Same
YEAR BUILT: 1900
LEGAL DESCRIPTION: Lots 27 and 28, Block 20, Lake Minnequa Addition
ZONE DISTRICT: R-2, Single Family Residential District
PARCEL ID: 1512312013
LOT SIZE: 6,250

REQUEST: A Special Use Permit to allow a residence, two-family, duplex, in a R-2 Single Family Residential Zone District

DESCRIPTION OF REQUEST

The applicant is requesting a Special Use Permit for a residence, two-family, duplex, in a R-2 Single Family Zone District for the purposes of constructing a new two family attached structure. The property is located in the southeastern portion of the Bessemer neighborhood. The existing, long-term vacant, small home currently on the property will be removed and a new, 32' x 76' (2,432) manufactured duplex will be installed. Section 17-2-2 (128)(g)) of the Municipal Code dictates that a residence two-family, duplex, is a use by review in a single family residential zone district.

ANALYSIS

The existing property contains a small, 800 sq. ft. adobe, alley house the was erected in the early 1900s. The property is deteriorated, and the prior owner was cited by code enforcement for trash and liter in 2023. Despite its small size, records indicate the property was used as a duplex in the 1950s and the address has a water tap for two units documenting it was a duplex at one time.

The applicant plans to install a new, two-unit, manufactured home on the 6,550 sq. ft. parcel at 1909 E. Routt. The new structure will be front facing, both dwelling units having street facing front entryways covered by an overhang. Architecturally the building will have vinyl siding, recessed front porch, small side gable for rear/side door, and shutters on all the windows. The proposed design will meet the minimum eight architectural elements for a new two-family residential unit. Furthermore, the unit will have a 20-foot front yard setback, which is the average setback established by the adjacent homes to the north and south (Section 17-4-31, (5) of the Pueblo Municipal Code) creating a 34-foot rear-yard setback, which is adequate space for two paved tenant parking spaces. The property will have nine-foot side-yard setbacks and staff is recommending requiring a six-foot opaque fence on both sides of the property to provide screening/privacy for the tenants and adjacent properties.

The west side of the 1900 Block of E. Routt is primarily comprised of single-family residences, except for 1901 and 1901 and 1901½ E. Routt, which sits adjacent to the northern property line of 1909 E. Routt. 1901 and 1901

½ contains a single-family residence and an Accessory Dwelling Unit. The east side of the 1900 E. Routt Block is also primarily developed with single-family residences; however, this block is zoned R-3, which allows duplexes as uses by right. Therefore, it is possible for a duplex to be constructed on the east side of the block without Special Use Permit.

ZONING DISTRICT AND LAND USE

Zone:		Developed with:
North	Single-Family Residential (R-2) Zone District	Single-Family Homes
East	One and Two-Family Residential (R-3) Zone District	Single-Family Homes, some two family uses and a multifamily
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 SPECIAL 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, there is one deteriorated drive cut from the street but the applicant’s site plan provides for access and parking at the rear along the alley outside of the front and rear setbacks.

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, the duplex use requires two paved parking spaces, the site plan shows two paved driveways and parking spaces that are accessed from the alley and located in the rear-yard, but outside of the required 5-foot rear-yard setback.

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

Comments: Affirmative, the applicant states they will comply with the requirements under the City Code.

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

Comments: Affirmative finding. Utilities serving the existing uses are anticipated to be sufficient to serve the needs of the proposed use. The applicant intends to comply with all building code requirements for utilities serving the structure/use.

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

Comments: The proposed duplex is approximately 32-feet wide and will be set on a 50-foot-wide parcel providing nine-foot setbacks adjacent to the northern and southern property lines. Staff recommends the applicant construct a 6-foot-tall opaque fence on or within the northern and southern property lines beginning at the rear lot line and extending to the front lot line. The fence may graduate to a reduced height as it reaches the front lot line to ensure sight lines for pedestrians and motorists pulling out of adjacent driveways.

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. No signage and no outdoor lighting other than porch lights have been proposed.

7. Required yards and other open space.

Comments: Affirmative finding. The proposed duplex will have nine-foot side yard setbacks, a 20-foot front yard setback, which meets the code requirement for averaging front yard setbacks, Section 17-4-31, (5), of the Pueblo Municipal Code. The duplex will provide a 34-foot rear-yard setback, which exceeds the required 15-foot rear-yard setback.

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

Comments: Neutral finding. The majority of the homes along the west side of Routt Ave in the 1900 block are single-family residences, except for the property immediately to the north, 1901 E. Routt, which has two residences (primary residence and accessory dwelling unit along the alley). The properties along the east side of Routt Ave in the 1900 block are single-family residences within an R-3 zone district. The R-3 zone district allows duplex residential units as a “use by right” and does not require a special use permit, prior to the construction of a duplex. The existing single-family residence is located at the rear of the property adjacent to the alley which is not consistent with the placement of the other single-family residences in the 1900 block of Routt Avenue. The proposed site plan for the duplex includes a 20-foot front yard setback, which is the average setback calculated from the established setbacks on the adjacent northern residence and adjacent southern residence.

PLANNING AND COMMUNITY DEVELOPMENT STAFF RECOMMENDATION

If the Board chooses to approve this Special Use Permit staff recommends Standard Permit Conditions 1 through 13 and the following staff recommended conditions

1. The applicant must meet the eight minimum Residential Placement Standards, Section 17-4-11, of the Pueblo Municipal Code.
2. A 6-foot tall opaque fence must be constructed on or within the northern and southern property lines beginning at the rear lot line and extending to the front lot line. The fence may graduate to a reduced height as it reaches the front lot line to ensure sight lines for pedestrians and motorists pulling out of adjacent driveways. Chain link fencing with slats or attachments is not appropriate for the opaque fencing requirement.

ATTACHMENTS

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

H. Supporting Documents

Exhibit A. Standard Permit Conditions

Standard Permit Conditions Date of Issuance of Permit: 5/29/2024	
1.	Time Limits Zoning permit shall become invalid unless work or action authorized by permit is fully executed by 5/29/2025
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

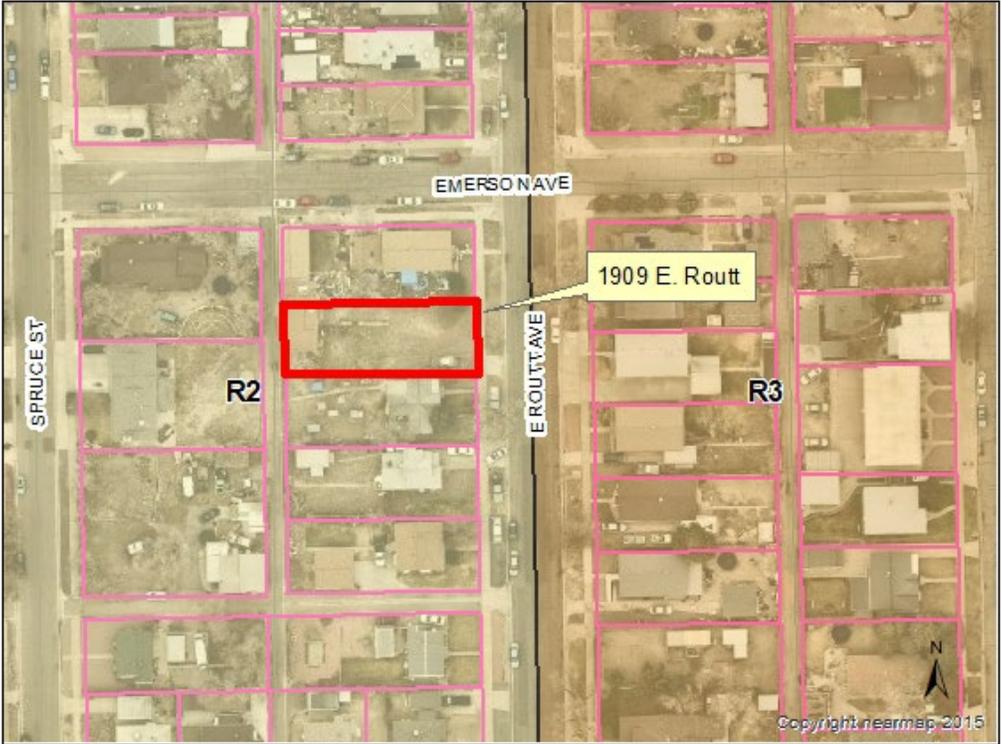


Exhibit D. Comprehensive Plan Map



Exhibit E. Public Notice



Exhibit F. Site Photos



Exhibit G. Application



City of Pueblo PLACE

2/5/2024

24-33
Zoning Board of Appeals -
Special Use Permit &
Variances
Status: Active
Submitted On: 2/5/2024

Primary Location
1909 E ROUTT AVE
PUEBLO, CO 81004
Owner
Indringa Homes C LLC
E 1st Ave 280 Broomfield, CO
80038

Applicant
 Reid Kurtenbach
 303-960-8542
 homes@indringa.com
 Indringa Homes LLC
280 E 1st Ave Unit 882
Broomfield, CO 80038

Internal

ZBA Case Number
ZBA-24-12

Planner Assigned
-

Address Validation by GIS?

ZBA

Hearing Date
03/26/2024

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

🔒 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:

—

🔒 Is a 1-year inspection required?

—

Scope of Work

Type of Request*

Use by Review (Special/ Limited Use Permit)

Type of Use by Review*

Special Use Permit

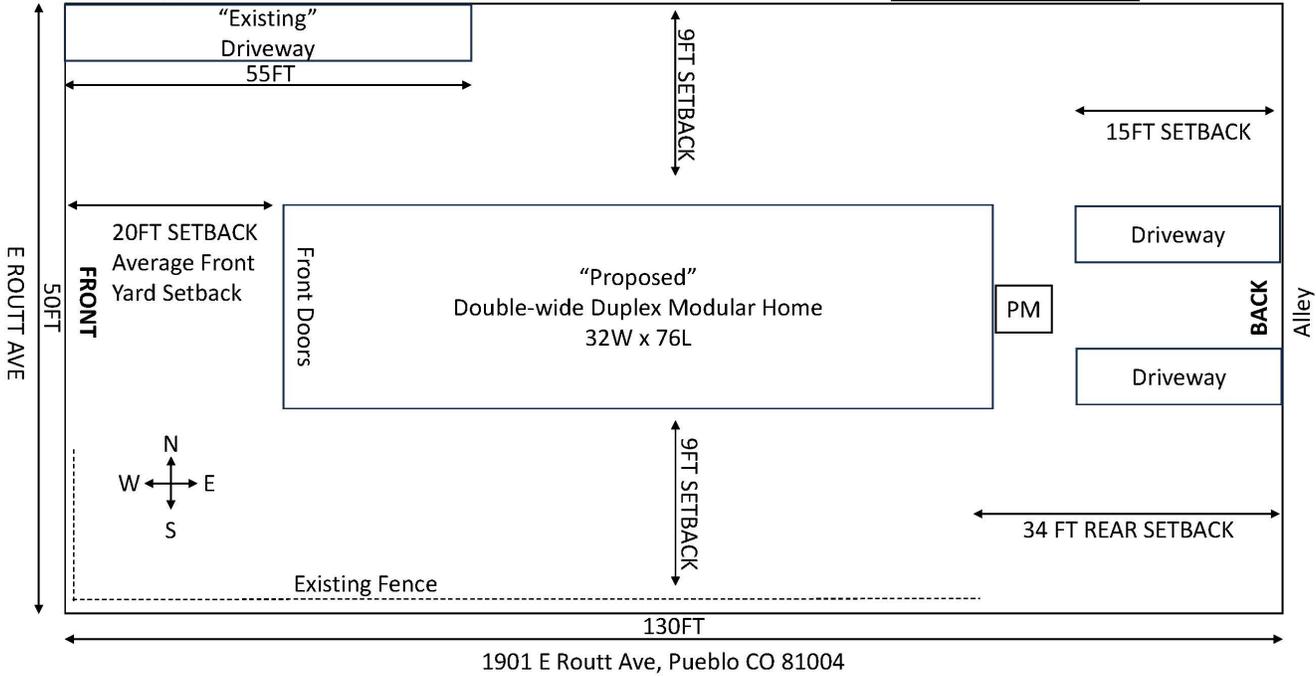
H. Supporting Documents

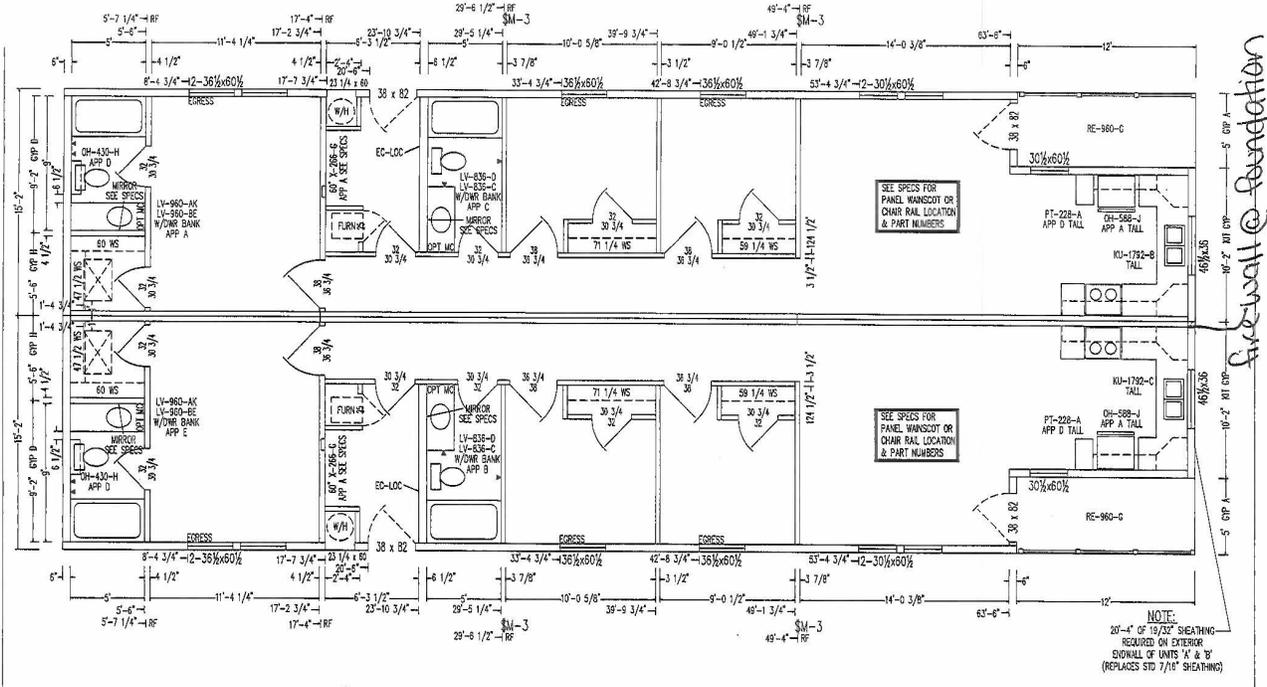
Property Owner: Indringa Homes C LLC
APN: 1512312013 Legal: LOTS 27 + 28 BLK 20 LAKE MINNEQUA ADD
Zone District: R2
Lot Area (Sq. Ft): 6,250

Site Plan

1909 E Routt Ave, Pueblo, CO 81004

PM = Proposed Meter





NOTES:

1. "R" INDICATES THE REQUIRED LOCATION OF A TRUSS (SHEARWALL/ OVERHEAD CABINET) OR 2x4 CEILING BACKER (PARTITION WALL).
2. RETURN AIR GRILL ABOVE BEDROOM & DEN DOORS. SEE SPECS.

ITEM	LOCATION	UNIT A	UNIT B	DIVISIONS			QTY	REVISIONS	DATE	BY	SIC	WIND ZONE	ROOF ZONE	M.P.H.
FURN	REAR	18'-0 3/4"	18'-0 1/4"	111	341	532								
FURN	REAR	18'-10 3/4"	18'-10 1/4"	112	344	533								
FURN	REAR	18'-10 3/4"	18'-10 1/4"	115	345	571								
W/DOOR	ROADSIDE	9'-1 3/4"	8'-0 1/4"	125	356	591								
				131	528	812								
				143	531									
				183	535									
				171	538									
				X 181	538									

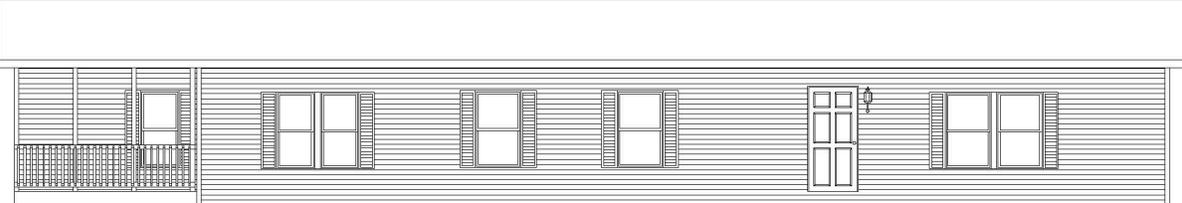


DRAWN BY: SJC
 DATE: 01/19/2007
 SHEET _____ OF 2
 DRAWING NUMBER 32-01165

L998MA (32-01165) 1/3/2024



FRONT ELEVATION

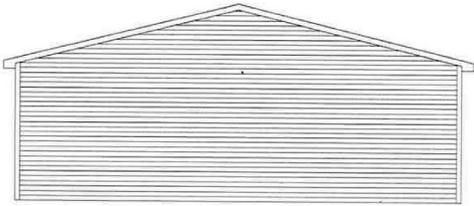


REAR ELEVATION

DIVISIONS			REVISIONS	DRAWING NUMBER
NO.	DATE	DESCRIPTION		
111	3/4/11	5552		SKYLINE DRAWN BY: S.C. WIND ZONE: 130/145 M.P.H. DATE: 01/13/2007 ROOF ZONE: 20# SHEET _____ OF _____ DRAWING NUMBER: 32-01165
112	3/4/11	5553		
116	3/4/11	5711		
125	3/5/11	5911		
131	5/2/11	612		
143	5/31			
163	5/35			
171	5/36			
X 181	5/38			
BOX LENGTH	DESCRIPTION		DRAWING NUMBER	
76'-0"	7632-6FK-4B (DUPLX)		32-01165	



RIGHT ELEVATION



LEFT ELEVATION

DIVISIONS			REVISIONS	BOX LENGTH	DESCRIPTION	DRAWING NUMBER
111	341	552				
112	344	553				
115	345	571				
125	355	591				
131	528	812				
143	531					
163	535					
171	536					
X 181	538			76'-0"	7632-6FK-4B (DUPLX)	32-01165

SKYLINE

DRAWN BY: SK MENTZ/140 M.P.H.
 DATE: 01/19/2007 ROOF ZONE: 26#