

Mike Castellucci
Chair

Steve Anselmo
Vice Chair



Lisa Bailey
Secretary

Yvonne Lujan-Slak

Georgia Way

ZBA-25-10

Hearing Date: 2/25/2025

TO:	City of Pueblo Zoning Board of Appeals
FROM:	Hannah Prinzi
THROUGH:	Scott Hobson, Land Use Administrative Official
LOCATION:	2717 E Routt Ave
APPLICANT:	Chuck McArthur
PROPERTY OWNER:	Darrell and Ramona Vigil
YEAR BUILT:	1999
LEGAL DESCRIPTION:	LOTS 23 + 24 BLK 33 MINNEQUA HEIGHTS FORMERLY #15-132-33-006
ZONE DISTRICT:	Single-Family Residential (R-2) Zone District
PARCEL ID:	1513233015
LOT SIZE:	0.14 Acres
REQUEST:	Variance to reduce side- and rear-yard setbacks in a Single-Family Residential (R-2) Zone District to facilitate the expansion of an existing garage.

BACKGROUND

The applicant is requesting a variance to reduce the side-yard setback requirement from 5' to 1' and the rear-yard setback requirement from 2' to 0' to facilitate the expansion of an existing detached garage structure. The subject property is a 0.14-acre lot in a Single-Family Residential (R-2) Zone District, generally located southeast of Lake Minnequa near I-25. The property is developed with an approximately 1,120 sq. ft. single-family home built in 1999, a 20' x 22' garage abutting the alley, and a carport in front of the garage. The applicant indicated that they intend to remove the carport to expand the garage. They also intend to remove the small addition on the south side of the existing garage. The proposed garage would be 20' x 43' total with the addition and extend to where the carport is currently. By replacing the carport with the garage extension, the applicant would be adding 200 sq. ft. to total accessory structure area on the property (See Exhibit H. Site Plan).

STAFF ANALYSIS

The subject property is in an established neighborhood, which was characteristically platted with narrow lots in a grid pattern. There is a neighborhood pattern of placing accessory structures along the alley to provide access. Examples include 2721 Routt Ave, 2705 Route Ave, 2612 Spruce St, 2610 Spruce St, and 2606 Spruce St. There is not an accessory structure on the property north of the subject property, so the proposed garage would not reduce required light and air to the neighboring property. The architecture of the existing garage also matches that of the house since both are built with wooden siding painted white. It is equipped with gutters that ensure run-off stays on the property. Since the applicant intends to replace the carport with the garage extension, the project ensures all accessory structures are compatible with the house, and it only increases the gross footprint of accessory structures on the property by 200 sq. ft.

The proposed garage is large enough to require a building permit. Should the variance be granted, staff will review the site plan against Code before a building permit is issued. At that time, the applicant will work with Regional Building Department to address fire safety concerns (See comments and staff condition 1).

ZONE 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 or objections. Permits (and plan review where needed) will be required for any new construction or modification. The proposed addition will need fire rating details at time of submission due to proximity to property line.
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 existing garage is architecturally compatible with the house, and the proposed addition will be built with the same materials. There is no accessory structure in the backyard of the neighbor to the north, so the variance would not reduce required light or air to neighboring 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. Building the garage abutting the alley provides off-street parking with direct access to the alley. Doing so matches the prevailing pattern of the neighborhood, as 2721 Routt Ave, 2705 Routt Ave, 2612 Spruce St, 2610 Spruce St, and 2606 Spruce St. also have accessory structures built against the alley.

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

Comments: Affirmative finding. The applicant could not build a larger accessory structure and adhere to this Title without either relocating or demolishing the existing shed.

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. The subject property is thin and narrow, a common characteristic of property in established neighborhoods of the City. However, these lots are considerably narrower than lots in newer neighborhoods. While this disadvantage is common to other properties in established neighborhoods, it is a unique disadvantage compared to residential neighborhoods subdivided after the 1950s.

PLANNING AND COMMUNITY DEVELOPMENT STAFF RECOMMENDATION

If the Board makes the necessary findings of fact to approve this variance, staff recommends Standard Permit Conditions 1 through 13 and the following staff conditions:

1. The applicant will work with Pueblo Regional Building Department to address fire safety.
2. Remove carport + don't place it anywhere else. Remove addition on the south side of garage.

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. Site Plan

Exhibit A. Standard Permit Conditions

Standard Permit Conditions Date of Issuance of Permit: 2/25/2025	
1.	Time Limits Zoning permit shall become invalid unless work or action authorized by permit is fully executed by 2/25/2026
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

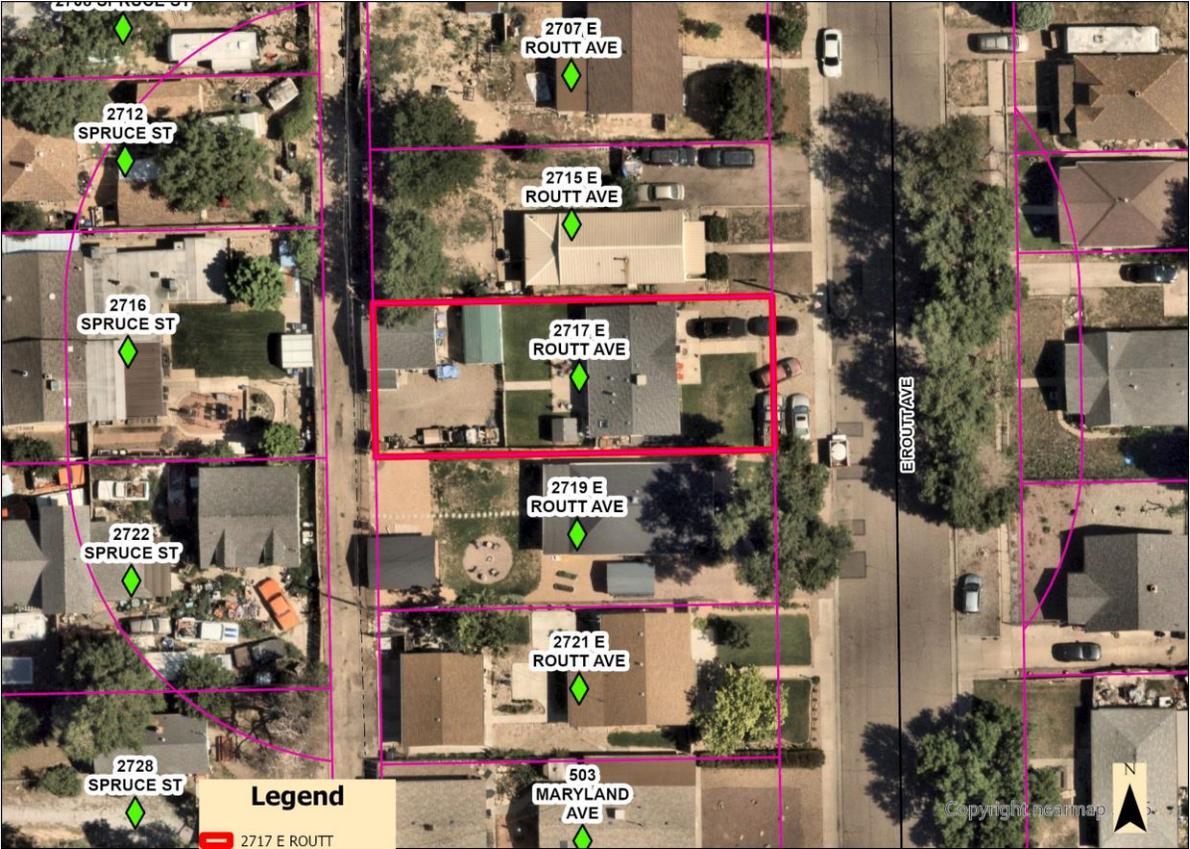


Exhibit C. Zoning Map

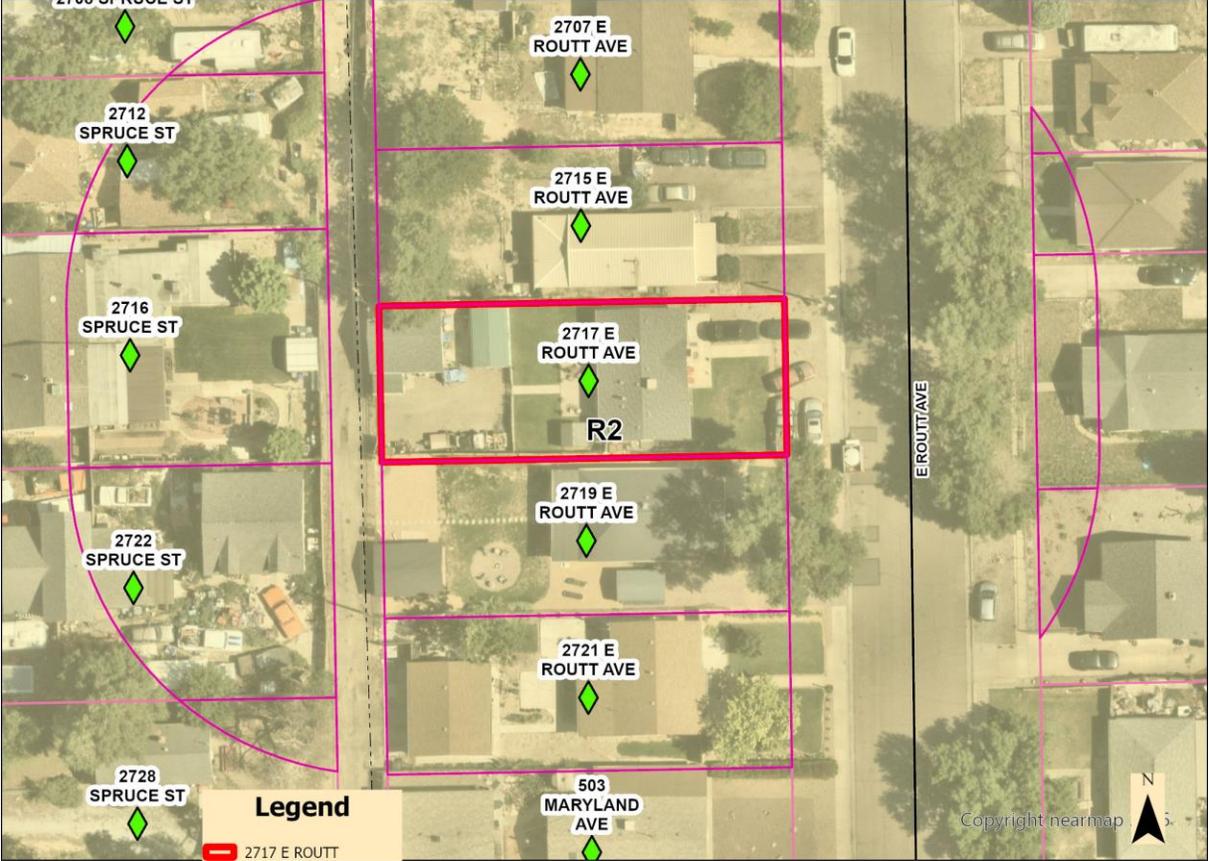


Exhibit D. Comprehensive Plan Map



Exhibit E. Public Notice



Exhibit F. Site Photos



Exhibit G. Application



City of Pueblo PLACE

January 8, 2025

25-11

Zoning Board of Appeals
- Special Use Permit &
Variances

Status: Active
Submitted On: 1/8/2025

Primary Location

2717 E ROUTT AVE
PUEBLO, CO 81004

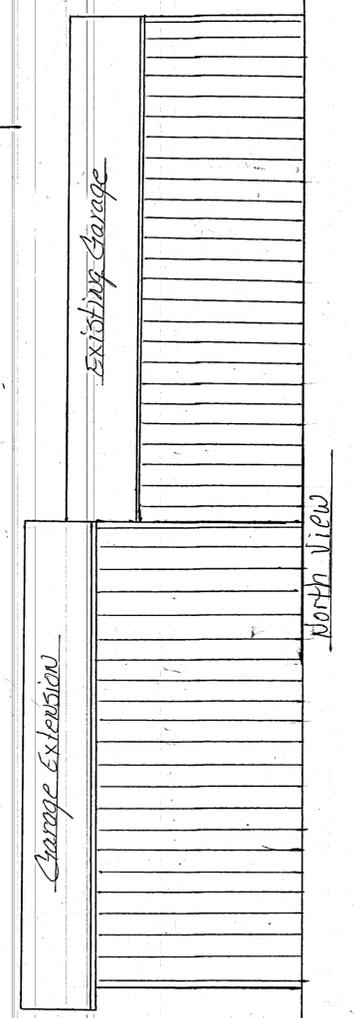
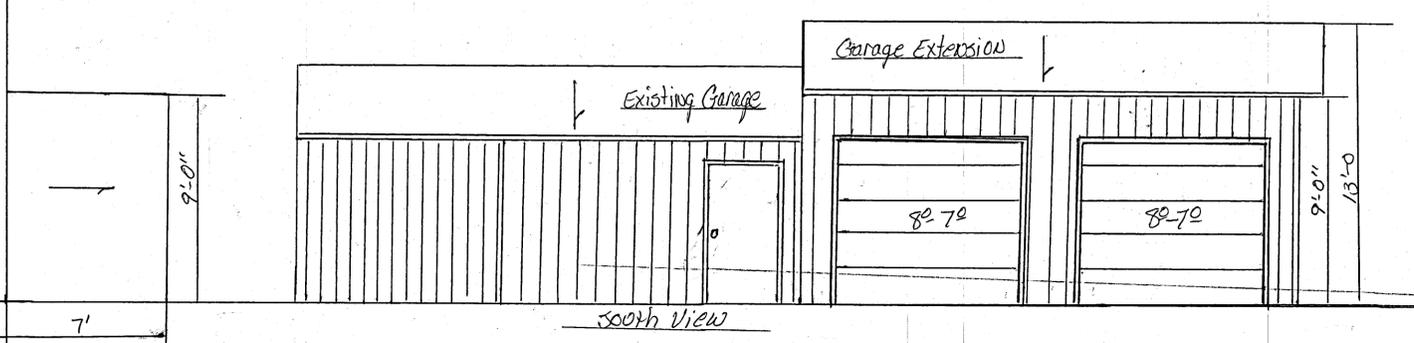
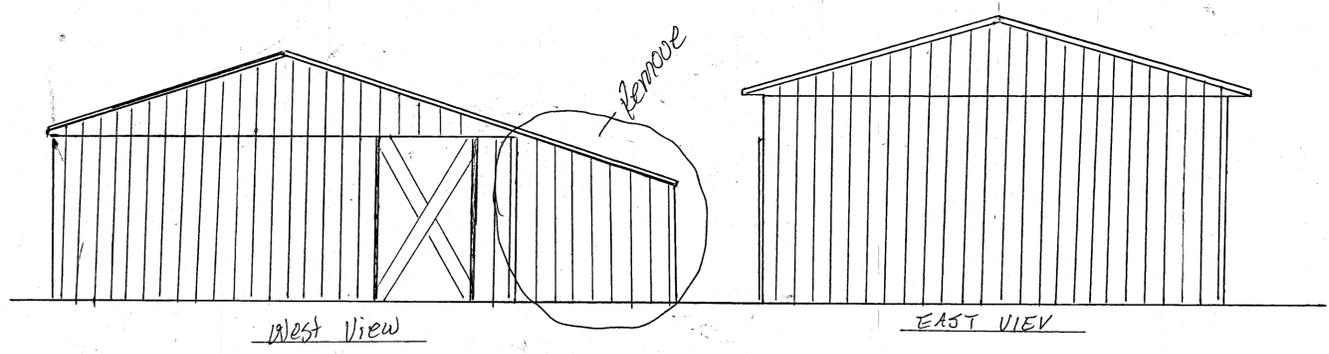
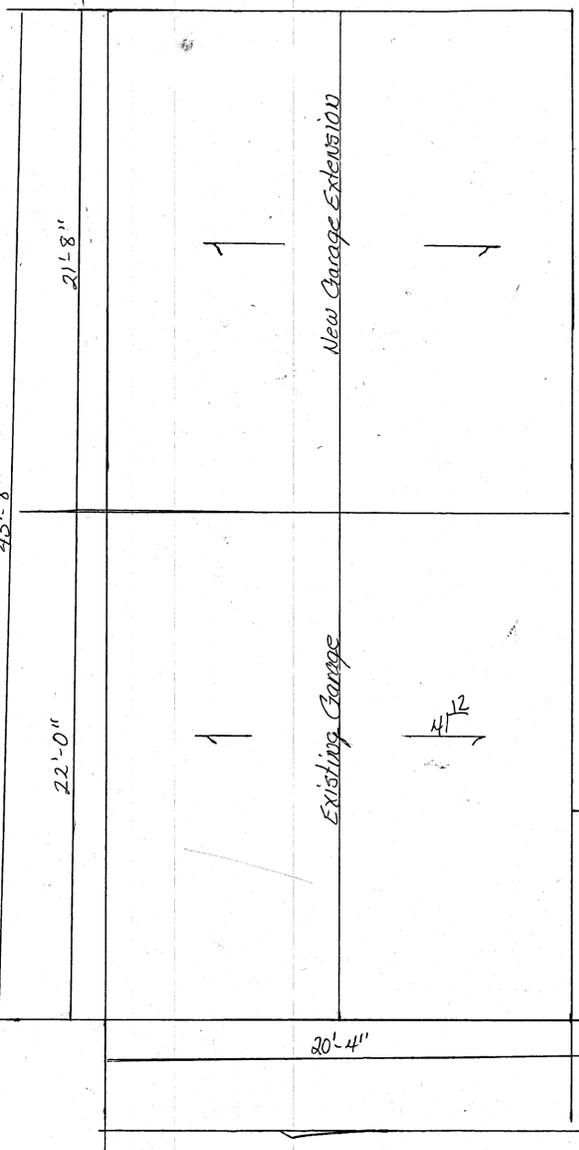
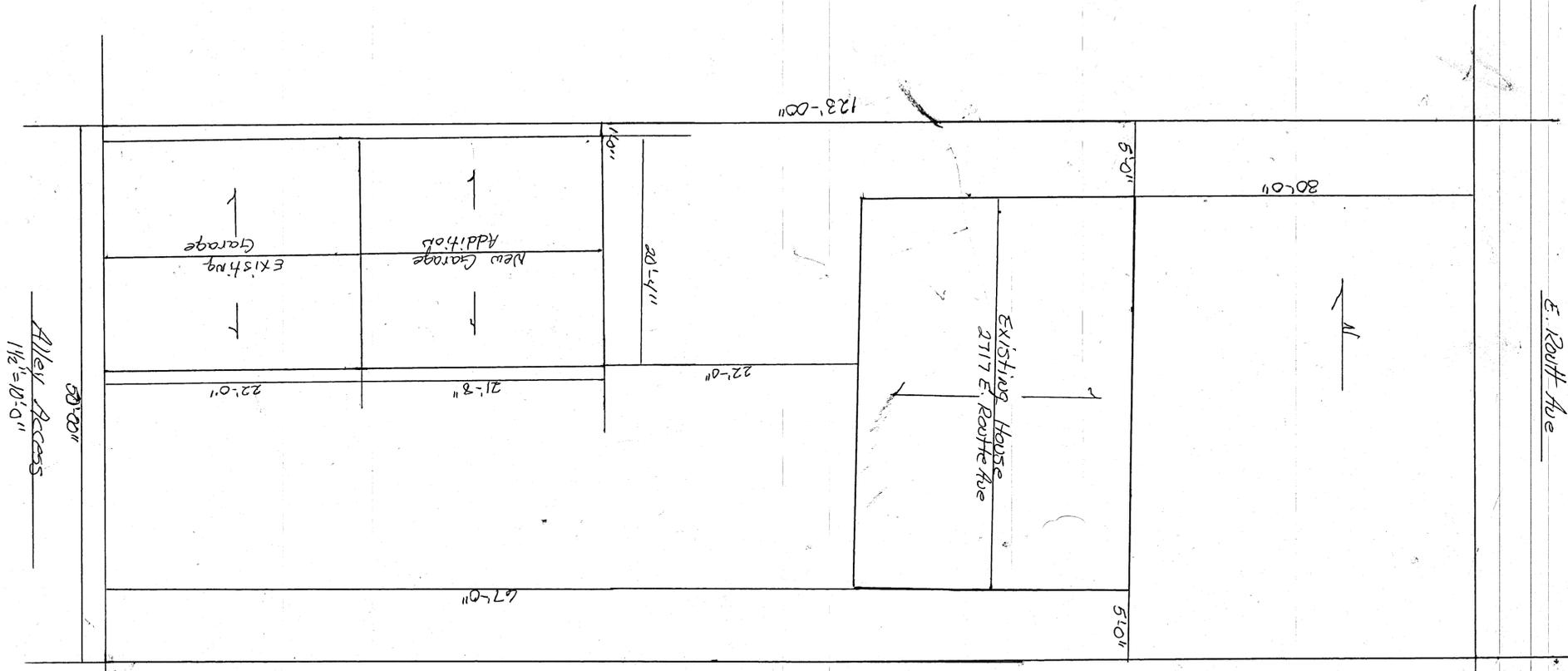
Owner

VIGIL DARRELL A/VIGIL
RAMONA H
2717 E ROUTT AVE PUEBLO ,
CO 81004-4046

Applicant

Chuck McArthur
 719-240-2142
 chuckmcarthur@hotmail.com
 1177 n calico rock lane
Pueblo West, Colorado 81007

H. Site Plan



North View