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## Zoning Board of Appeals

### ZBA-25-54

Hearing Date: 12/23/2025

<b>TO:</b>	City of Pueblo Zoning Board of Appeals
<b>FROM:</b>	Hannah Prinzi
<b>THROUGH:</b>	Beritt Odom, Land Use Administrative Official
<b>LOCATION:</b>	503 Summit Ave.
<b>APPLICANT:</b>	Weston Burrer
<b>PROPERTY OWNER:</b>	JUST RITE PROPERTIES LLC
<b>YEAR BUILT:</b>	1893
<b>LEGAL DESCRIPTION:</b>	S 23 FT LOT 13 BLK 29 BESSEMER ALSO N 10' OF VACATED SUMMIT AVE ADJ FORMERLY #15-013-06-012
<b>ZONE DISTRICT:</b>	Residential Charter Neighborhood (RCN)
<b>PARCEL ID:</b>	1501306027
<b>LOT SIZE:</b>	4,059 sq. ft.
<b>REQUEST:</b>	Special Use Permit to allow a multi-family residence in a Residential Charter Neighborhood (RCN) Zone District

#### EXPLANATION OF REQUEST

The applicant is requesting a Special Use Permit to allow a multi-family residence in a Residential Charter Neighborhood (RCN) Zone District to facilitate the conversion of an existing mixed-use building to a multi-family residence. The scope of the project is entirely internal; there is no proposed addition to the existing building.

#### BACKGROUND

The property at 503 Summit Ave., previously addressed as 945 E. Routt Ave., first appears on Sanborn Fire Insurance maps in 1893 and served as a neighborhood mixed-use building, including, at various times, a retail shop, mortuary, and fraternal hall called The Eureka Lodge, which historically contained one residential unit on the second floor. Currently, the building sits vacant and unused. The current owner purchased the building from the Eureka Lodge in 2015 and seeks to redevelop the building by converting it into a fourplex. The change of use from mixed-use to multi-family requires compliance with all applicable and current provisions in Title 17 of the Pueblo Municipal Code. The subject property faces several challenges to do so: it exceeds the maximum allowed lot coverage, it does not meet the minimum lot area required for a fourplex, it does not meet front-yard or side-yard setbacks, and it does not provide any off-street parking spaces. Therefore, this Special Use Permit is being requested concurrently with variances for parking (ZBA-25-47), lot area (ZBA-25-48), and building setbacks (ZBA-25-49), to allow a multi-family residence at the subject property.

#### PREVIOUS ACTIONS

The applicant previously requested and received the aforementioned variances to facilitate the conversion from mixed-use to multi-family in 2023. However, the work authorized by the permits were not fully executed by the one-year deadline, and the applicant did not apply for an extension. Thus, the previous permits became invalid, and the applicant was required to reapply. The applicant also requested to rezone the property from a Mixed

Residential (R-4) Zone District to Residential Charter Neighborhood (RCN) and vacate 10’ of Summit Ave to increase the subject property’s lot width in 2023 (Z-23-08 and V-23-02), both of which were approved by City Council. The applicant also received an Administrative Determination to allow the additional lot coverage.

When the applicant reapplied for the variances, it was discovered that a multi-family residence is a use-by review in the RCN Zone District, requiring a Special Use Permit. Staff informed the applicant of this, and this Special Use Permit request was submitted soon after.

**STAFF ANALYSIS**

The subject property is a small lot originally platted in 1887 and developed with a historic building built prior to 1893 that covers approximately 56% of the lot. This means the site is severely constrained and struggles to accommodate parking and yard space. However, the applicant has requested variances to address the parking and setback requirements. The variances and Special Use Permit would allow the applicant to redevelop a building that would otherwise sit vacant. The 2022 Regional Comprehensive Plan identifies infill and redevelopment as policy goals for Pueblo, which this project would support. The Comprehensive Plan also designates the subject property and surrounding area as Urban Neighborhood, which is characterized by uniform blocks, gridded streets, alleys, and an integrated mix of housing types. While a fourplex would be the highest-density housing on the 1900 Block of E Routt Ave., the Comprehensive Plan allows for multi-family residences in an Urban Neighborhood. Additionally, commercial, and multi-family residences are present along Summit Ave.

The scope of this project triggers Multifamily Housing Development Design Standards (Sec. 17-4-14), which will require the applicant to dress up the building’s facades with contrasting colors, windows, and other design features to create an inviting, interesting, and livable space. Staff believes the required enhancements to the building facades will improve the subject property’s appearance.

**SURROUNDING ZONE DISTRICTS AND LAND USES**

	Zone District:	Developed with:
North	Mixed Residential Zone District (R-4)	One- and two-family residences
East	Multiple-Residential and Office District (R-5), Mixed Residential District (R-4) Neighborhood Business District (B-1) Commercial Charter Neighborhood (CCN)	Religious Institution, One- and two-family residences Religious institution and one-family residences Multi-family residence
South	Mixed Residential District (R-4)	One- and two-family residences, Institutional institution
West	Mixed Residential District (R-4)	One-family residences Multi-family residences

**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.

**REVIEWING AGENCIES**

City Code Enforcement	No comment
City Parks and Recreation Department	No comment
City Public Works Department	No comment
City Stormwater Department	No comment
City Transportation	No comment
City Wastewater Department	No comment
Fire Department	No comment
Pueblo Board of Water Works	No comment
Pueblo City/County Health	No comment
Pueblo Regional Building Department	No comment

**CONDITIONS REQUIRED FOR SPECIAL USE PERMIT**

- 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. No cars will access the site. The proposed Architectural Plans show each unit having its own entrance off of Summit Ave.**
- 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: Negative finding. The proposed fourplex is required to provide 6 off-street parking spaces, but there is not any space on-site that could safely accommodate parking. The applicant has requested a 100% parking variance (ZBA-25-47) and attests that because the site is located on a corner lot and directly across the street from a large parking lot that serves a church, there is ample on-street parking available for future residents and their guests.**
- Refuse and service areas, with reference to the items above.  
**Comments: Affirmative finding. The refuse and service area is located to the west of the building near the alley. The applicant indicated that this area will be screened.**
- Utilities, with reference to the location's availability and compatibility.  
**Comments: Affirmative finding. Utilities are existing and located either underground or in the alley.**
- Screening and buffering with reference to type, dimensions, and character.  
**Comments: Neutral finding. The existing building is only roughly 2" away from the residence to the north. There are currently no windows located on the northern elevation, and it appears that there are none proposed. The subject property is separated from its neighbor to the west by the alley.**
- 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: Not Applicable. No signs are existing or proposed.**
- Required yards and other open space.  
**Comments: Neutral finding. The existing building was built in 1893 and has a 2,292 sq. ft. footprint, covering approximately 56% of the lot. The constrained site does not provide the required setback distances along the northern or eastern property lines. The applicant has requested a variance to reduce these setback**

distances (ZBA-25-49). Required setback distances are provided along the southern and western property lines.

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

**Comments: Affirmative finding. The subject property and surrounding area are designated as Urban Neighborhood by the 2022 Pueblo Regional Comprehensive Plan. Urban Neighborhoods are characterized by uniform blocks, gridded streets, alleys, and an integrated mix of housing types. While a fourplex would be the highest-density housing development on the 1900 Block of E Routt Ave., the Comprehensive Plan allows for multi-family residences in an Urban Neighborhood. Commercial and multi-family residences are currently present along Summit Ave.**

#### **PLANNING AND COMMUNITY DEVELOPMENT STAFF RECOMMENDATION**

If the Board makes the necessary findings of fact to approve this special use permit, staff recommends Standard Permit Conditions 1 through 13 and the additional recommended staff condition:

- Approval of the Special Use Permit reducing the required lot area is contingent upon the following requests being approved by the Zoning Board of Appeals: ZBA-25-47, Parking Variance; ZBA-25-48, Lot Area Variance, and ZBA-25-49, Setback Variance.

#### **ATTACHMENTS**

- A. Standard Permit Conditions
- B. Aerial Map
- C. Zoning Map
- D. Comprehensive Plan Map
- E. Public Notice Photo
- F. Site Photos
- G. Supporting Documents: Application, Property Owner Affidavit, Proposed Architectural Plan, and Site Plan

**Exhibit A. Standard Permit Conditions**

<b>Standard Permit Conditions</b> Date of Issuance of Permit: <b>12/23/2025</b>	
1.	<b>Time Limits</b> Zoning permit shall become invalid unless work or action authorized by permit is fully executed by <b>12/23/2026</b>
2.	<b>Required Revisions</b> 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.	<b>Changes</b> 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.	<b>Property Inspection</b> 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.	<b>Certificate of Occupancy</b> 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.	<b>Completion and Maintenance of Improvements and Landscaping</b> 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.	<b>Building Permit; Other Permits</b> Permit holder is solely responsible for obtaining <u>BUILDING PERMIT</u> and all other applicable local, state and federal permits.
8.	<b>Off-Site Drainage</b> 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.	<b>Appeals</b> 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.	<b>Errors</b> 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	<b>Transfer of Ownership</b> 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.	<b>Violations/Penalties</b> 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.	<b>Incorporation and Reference of All Plans Presented to the Zoning Board of Appeals.</b> 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

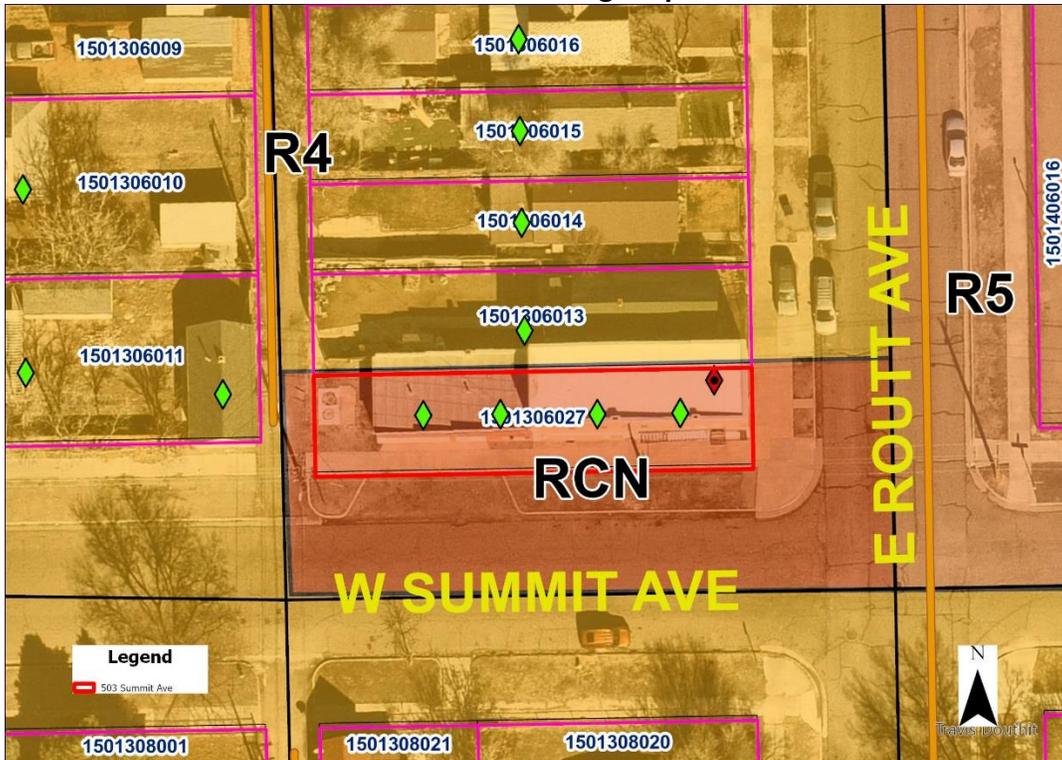


Exhibit D. Comprehensive Plan Map



Exhibit E. Public Notice



**Exhibit F. Site Photos**



South façade adjacent to Summit Ave



West façade facing E Routt Ave



Back of Property as seen from the alley



Northern Property Line as seen from the alley



Northern Property Line as seen from E Routt Ave

**Exhibits G. Supporting Documents: Application, Property Owner Affidavit, Proposed Architectural Plan, and Site Plan**

To view the Supporting Documents, please visit the Planning & Community Development Department at 211 E D. St. or at (719) 553-2259.