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Zoning Board of Appeals

ZBA-25-56

Hearing Date: 1/27/2026

TO:	City of Pueblo Zoning Board of Appeals
FROM:	Mikaylin Hackley, Planner
THROUGH:	Beritt Odom, Land Use Administrative Official
LOCATION:	2131 Hollywood Dr
APPLICANT:	Rebecca Mercado
PROPERTY OWNER:	Miguel Mercado
YEAR BUILT:	1958
LEGAL DESCRIPTION:	LOT 16 BLK 16 LYNN GARDENS 2ND
ZONE DISTRICT:	Single-Family Residential (R-2) Zone District
PARCEL ID:	1515213016
LOT SIZE:	7572 sq. ft.
REQUEST:	Special Use Permit for a Bed & Breakfast Inn in a Single-Family Residential (R-2) Zone District

BACKGROUND

The subject property is a 7500 sq. ft. lot with an existing 783 sq. ft. home built in 1958 and 912 sq. ft. detached garage. The property owner is seeking a Special Use Permit for a Bed & Breakfast Inn in order to operate the property as a rental for periods of 30 days or less. The property would be listed for Bed & Breakfast rentals online through a third-party platform. The applicant states in their application that guest capacity would be limited to 8 people, no parties or events would be allowed, and quiet hours would be enforced from 9pm to 7am.

STAFF ANALYSIS

As discussed in the findings of fact, staff finds that access to the property, parking, trash collection, utilities, lighting, and open space are suitable at this location for the proposed use. All surrounding uses near the property are single-family residences, and Planning staff has determined that bed & breakfasts are a moderately more intensive use better classified as commercial than residential. Thus, staff has recommended the condition that a minimum 6-foot-tall opaque barrier be maintained along the property lines that abut other residences for as long as the property is used as a bed & breakfast. With that condition addressed, the proposed use is unlikely to constitute a nuisance to the neighborhood.

SURROUNDING ZONE DISTRICTS AND LAND USES

	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.

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. Guests enter and the exit the property using the driveway on the western edge of the property and are permitted to park in the existing two-car garage. Pedestrian access is provided from the attached sidewalk along Hollywood Dr.
- 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. There is a two-car garage on the property that will be open to guests for off-street parking. The garage is accessed via an 80-foot-deep driveway, which can also accommodate parking for additional cars.
- Refuse and service areas, with reference to the items above.
Comments: Affirmative finding. Trash is collected in a typical residential bin that is stored in the back of the home and is picked up along Hollywood Dr. weekly.
- Utilities, with reference to the location's availability and compatibility.
Comments: Affirmative finding. The property is already serviced with typical residential utilities (i.e., water, sewer, etc.) and the proposed use would not increase utility demand.
- Screening and buffering with reference to type, dimensions, and character.
Comments: Affirmative finding. The property lines are delineated by a wooden fence on the northern property line, and cinderblock walls on the western and eastern property lines.
- 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 signs are proposed, and the property is lit with typical residential outdoor lighting above the front porch, back porch, and garage door.

7. Required yards and other open space.

Comments: Affirmative finding. There are no open space requirements for the proposed use.

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

Comments: Neutral finding. The proposed use is moderately more intense than a typical residence, but with the recommended staff conditions, it should not negatively impact the surrounding neighborhood.

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 following staff condition:

1. The property is limited to more than 8 guests at a time.
2. Quiet hours are required between 10 p.m. and 7 a.m.
3. A minimum 6-foot-tall opaque barrier be maintained along the property lines that abut other residences for as long as the property is used as a bed & breakfast

ATTACHMENTS

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

Exhibit A. Standard Permit Conditions

Standard Permit Conditions Date of Issuance of Permit: 1/27/2026	
1.	Time Limits Zoning permit shall become invalid unless work or action authorized by permit is fully executed by 1/27/2027
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

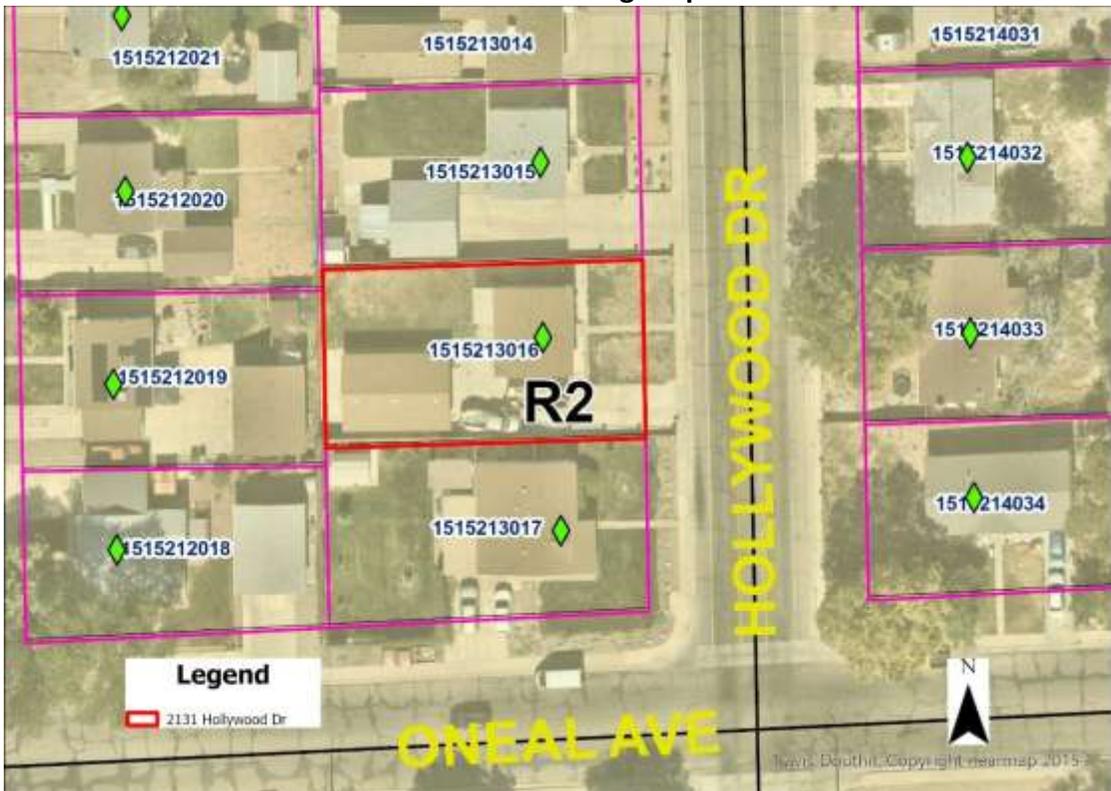


Exhibit D. Comprehensive Plan Map

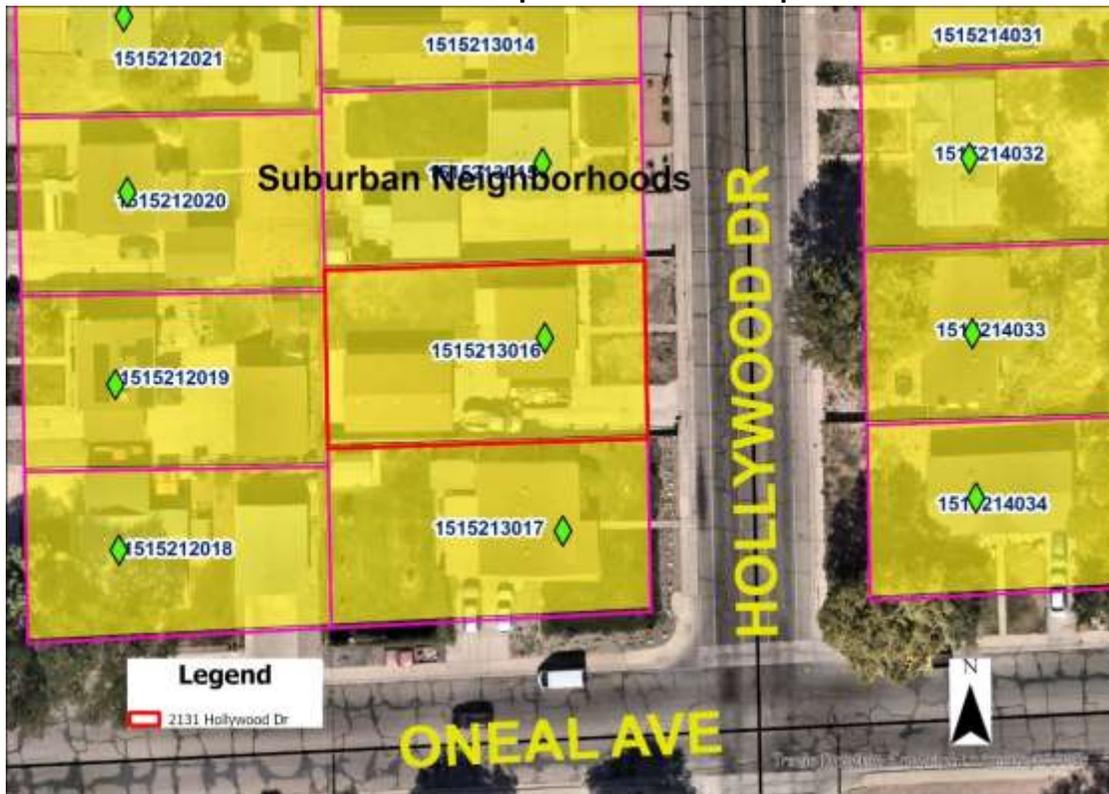


Exhibit E. Public Notice



Exhibit F. Site Photos



Exhibit G. Site Plan

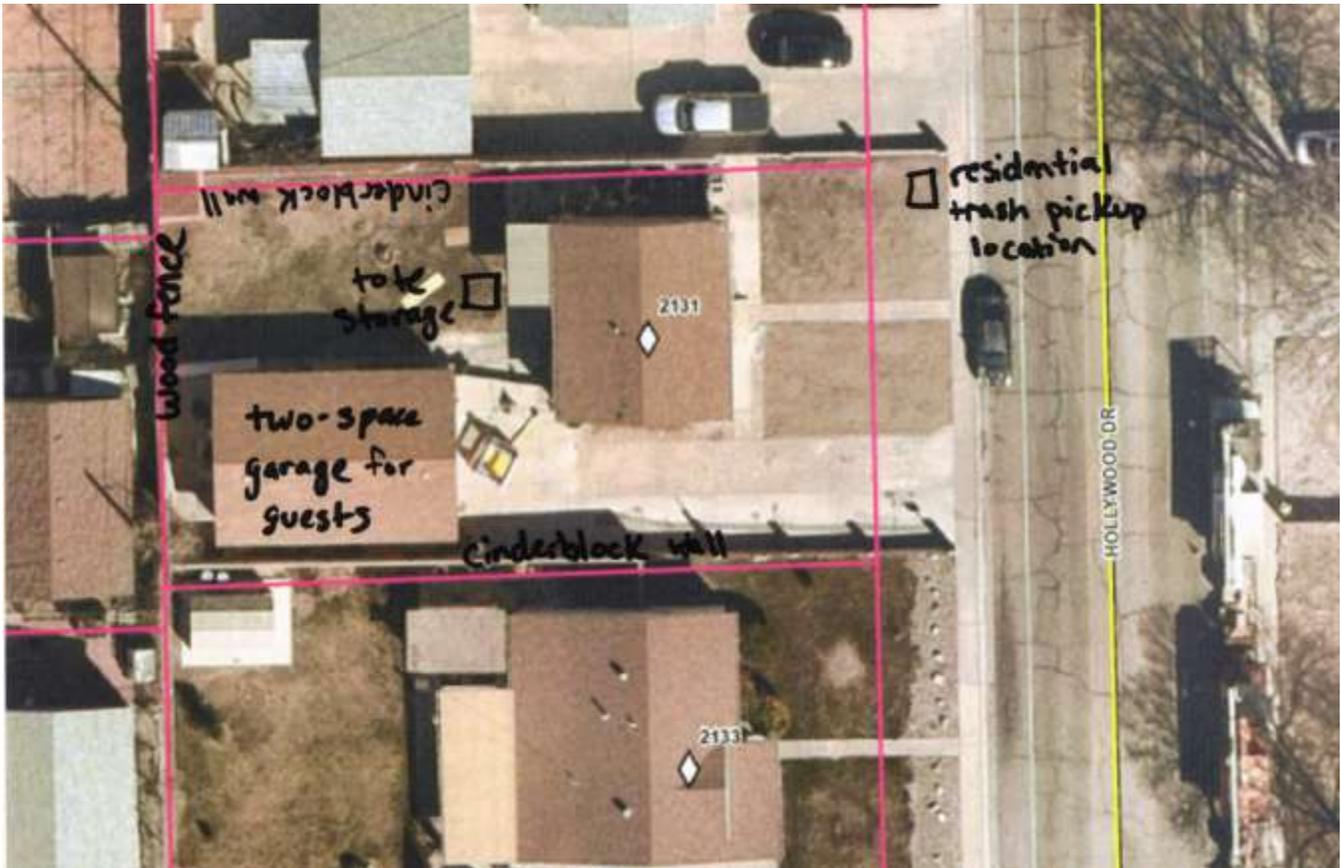


Exhibit H. Application

To view all attachments, please contact the Planning Department at planninglanduse@pueblo.us or visit our office at 211 E D St.