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Zoning Board of Appeals

ZBA-26-06

Hearing Date: 2/24/2026

TO: City of Pueblo Zoning Board of Appeals
FROM: Hannah Prinzi, Planner
THROUGH: Beritt Odom, Land Use Administrative Official
LOCATION: 1003 Liberty Ln
APPLICANT: Jeff Neulieb
PROPERTY OWNER: Archway Communities
YEAR BUILT: 1958
LEGAL DESCRIPTION: LOTS 18 TO 26 INC. BLK 27 BELMONT 11TH & POR OF VAC ST LYING SELY & ADJ TO LOT 18 TO 21 LESS TRACT IN #445204 (NOW BELMONT 11TH RE-PLAT) ALSO LESS 0.18A OUT OF A POR OF LOTS 20 & 21 TO CHAMPION HOMES OF PUEBLO INC.#489099
ZONE DISTRICT: Multiple Residential and Office (R-5) Zone District
PARCEL ID: 419413002
LOT SIZE: 64, 106 sq. ft.

REQUEST:	Variance to reduce required front and second-front setbacks in a Multiple Residential and Office (R-5) Zone District
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BACKGROUND

The applicant is requesting a variance to reduce the required front- and second-front setback requirements in a Multiple Residential and Office (R-5) Zone District. The subject property, 1003 Liberty Ln, is a 1.6-acre parcel located at the corner of Liberty Ln and Bonforte Blvd near Fire Station 8. It was originally developed in 1957 with the Christ Congregational Church designed by Elizabeth Wright Ingraham, granddaughter of Frank Lloyd Wright, a famous American architect of the twentieth century. The church sits in the center of the property with a parking lot on the southeastern portion of the site. The remainder of the property contains a large grassy area.

The applicant is proposing to redevelop the property with two new multi-family residences and re-use the church as a leasing office and clubhouse. The first proposed multi-family residence has a 3,879 sq. ft. footprint and is in the southern corner of the parcel along Liberty Lane. It is 3-stories tall and contains 12 dwelling units. The second proposed multi-family residence has a 9,453 sq. ft. footprint and is in the western corner of the parcel along Bonforte Blvd. It is 3 stories tall and contains 29 dwelling units. Residents and guests would enter the site from Liberty Ln. In total, the redevelopment project would create 41 affordable housing units. The applicant has received over \$10 million in Proposition 123 funds from the Colorado Office of Economic Development and International Trade (OEDIT) and the Colorado Housing and Finance Authority (CHFA) to support the project. However, preserving the historic church limits where new buildings or site improvements may be located, including a new parking lot, landscaping, detention pond, and the two multi-family residences. To accommodate all the required elements for this project, the applicants have proposed a design in which the two apartment structures have reduced setbacks and, therefore, are requesting this variance.

STAFF ANALYSIS

The R-5 Zone District requires a 25' front-yard setback and 12.5' second-yard setback (Sec. 17-4-2.) In this context, the front yard is located along Liberty Lane, while the second-front yard is along Bonforte Blvd. The proposed larger multi-family residence is set back 8' from the property line along Bonforte Blvd. Bonforte Blvd is a minor arterial road with a 100' dedicated width. The total width of the travel lanes is 50' wide, leaving approximately 25' for sidewalk and landscaping on both sides of the road. Should the variance be granted, there would still be approximately 33' between the larger multi-family residence and Bonforte Blvd.

Both multi-family residences are set back 13' from the property line along Liberty Ln. Liberty Lane is a smaller local road with a 50' dedicated width. The total width of travel lanes is 30' wide, leaving approximately 10' for sidewalk on both sides of the road. The site plan shows angled, on-street parking along Liberty Lane, providing an unobstructed view for vehicles, pedestrians, and residents entering and exiting the site. The rest of the required setback distances are maintained.

SURROUNDING ZONE DISTRICTS AND LAND USES

	Zone District:	Developed with:
North	Multiple-Office and Residential (R-5) Zone District	Barber shop, attorney's office
East	Multiple-Office and Residential (R-5) Zone District, Single-Family Residential (R-1 and R-2) Zone District	Orthodontics office, one-family residences
South	Multiple-Office and Residential (R-5) Zone District. Neighborhood Office (O-1) Zone District	Dentist office, dental school
West	Multiple-Office and Residential (R-5) Zone District, Government Use (S-1)	Driving school, fire station, multi-family residence

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 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. This variance would not reduce light and air to adjacent properties. The properties impacted by the reduced setbacks are across Bonforte Blvd and Liberty Ln. Bonforte Blvd is a 100-foot wide right of way, and the multi-family residence will be approximately 30' away from the back of the sidewalk. While Liberty Ln is a narrow road with less buffer between private property and the drive aisle, the site has been designed to maintain the on-street, angled parking which provides an unobstructed view for vehicles entering and existing the site onto Liberty Ln. The required setback distances are maintained by the adjacent properties to the north and east of the subject property.

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 reduced second front-yard along Bonforte Blvd will not negatively impact land use, streets, or highways. The second multi-family residence will be approximately 30 feet away from the back of the sidewalk along Bonforte Ave, maintaining visibility when turning onto the street. Should this variance be granted, the reduced setback would not impact visibility turning onto or off Bonforte Blvd.

Similarly, the on-street parking along Liberty Lane creates a buffer between the multi-family residences from Liberty Ln. A reduced setback along Liberty Lane does not impact sight visibility from the driveway or from Liberty Lane.

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

Comments: Affirmative finding. The subject property is home to the Christ Congregational Church, built in 1957 and designed by Elizabeth Wright Ingraham. Available locations to relocate the proposed multi-family residences are limited by the preservation and reuse of the historic church.

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: Affirmative finding. The Christ Congregational Church is situated in the center of the parcel, creating a unique disadvantage. Preserving the church limits where new buildings, structures, and site improvements can be located.

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 only.

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

Exhibit A. Standard Permit Conditions

Standard Permit Conditions Date of Issuance of Permit: 2/24/2026	
1.	Time Limits Zoning permit shall become invalid unless work or action authorized by permit is fully executed by 2/24/2027
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

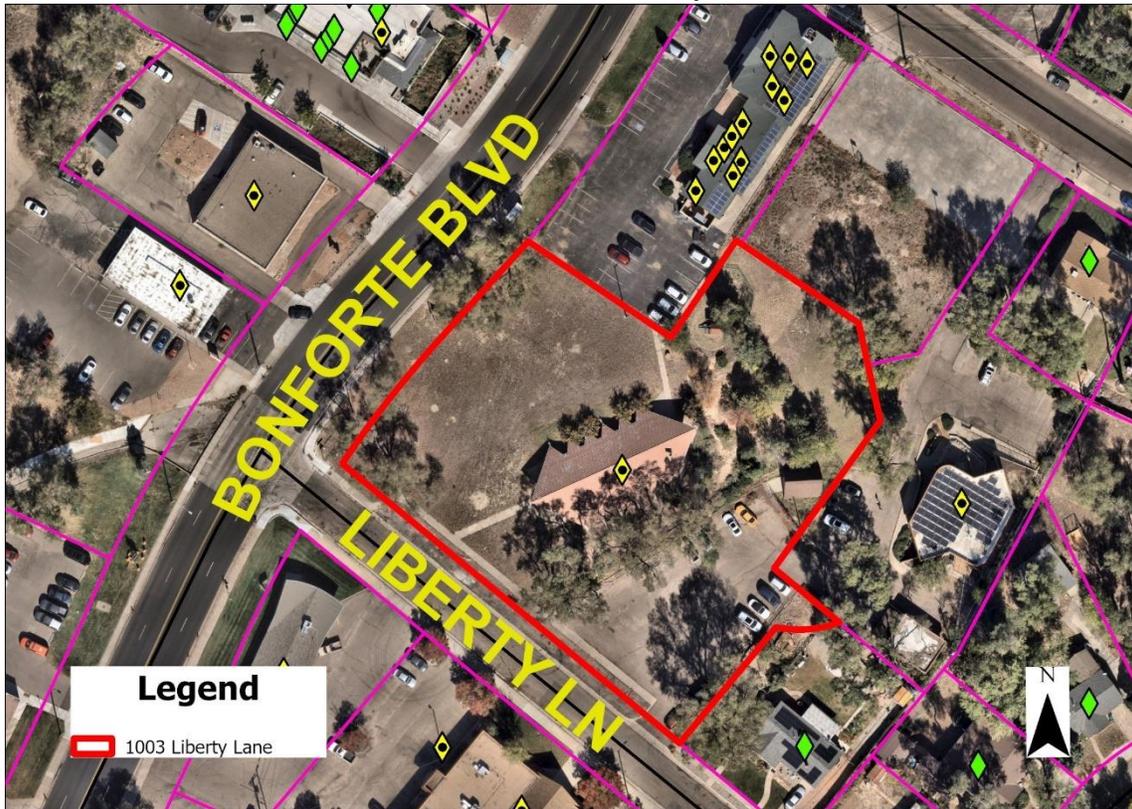


Exhibit C. Zoning Map

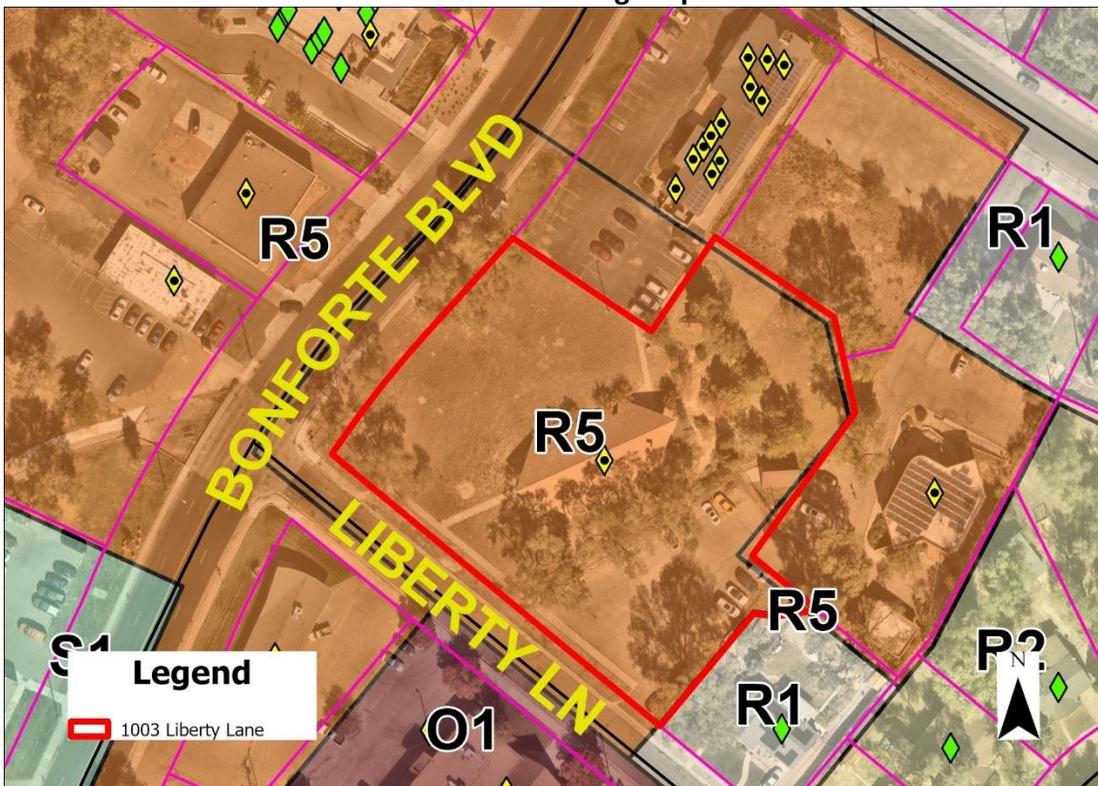


Exhibit D. Comprehensive Plan Map

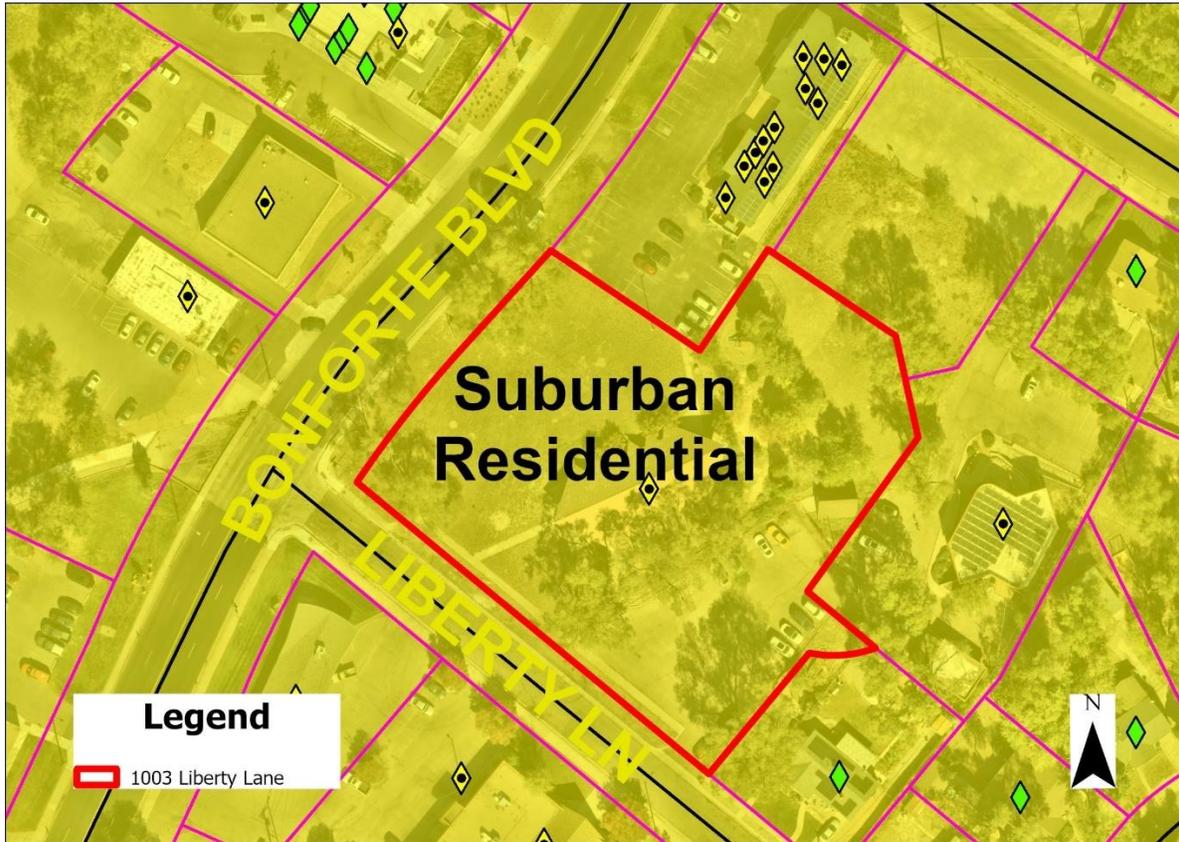
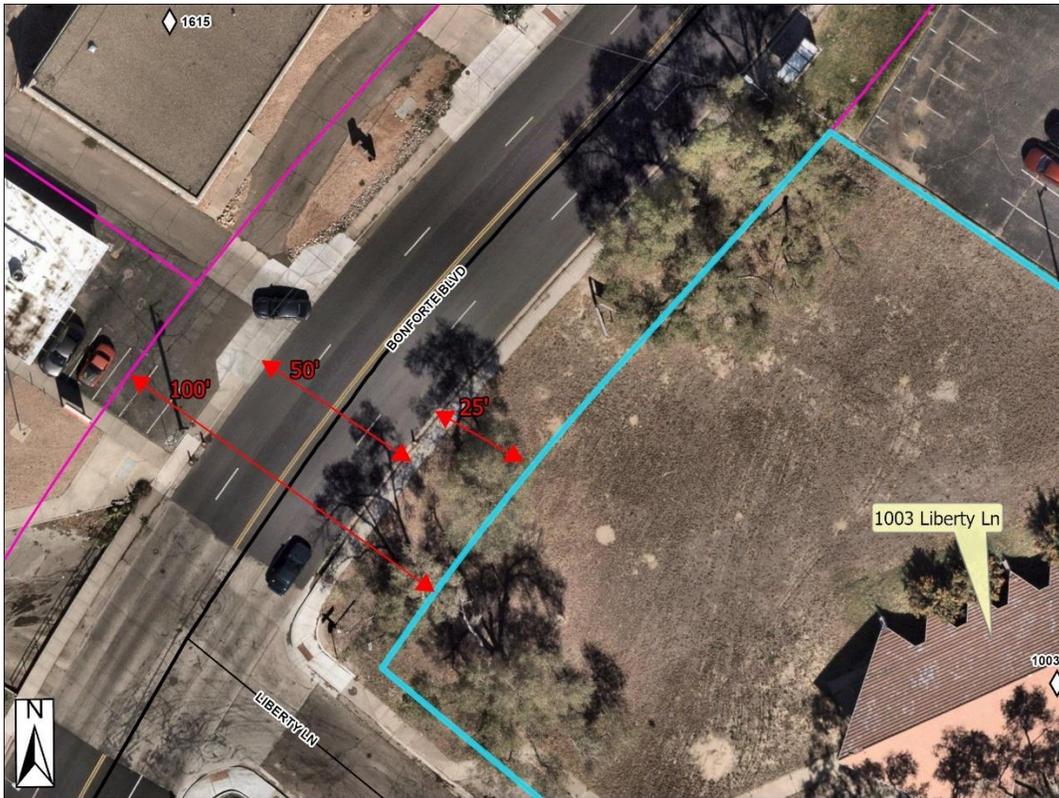


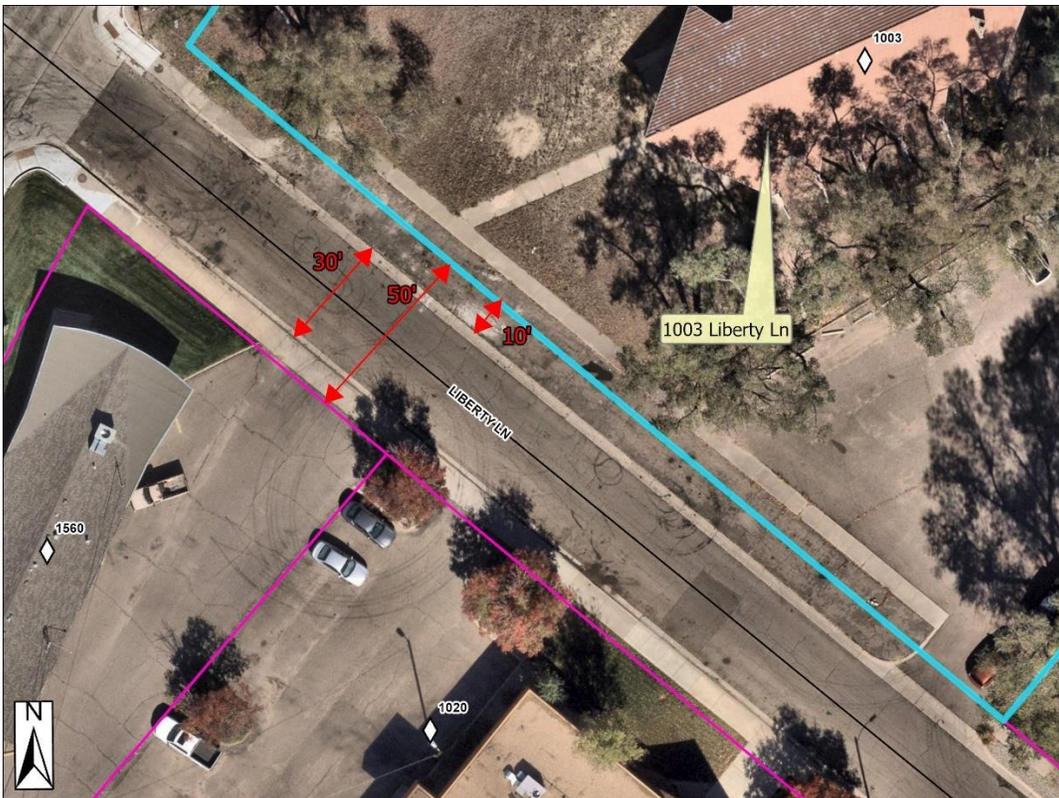
Exhibit E. Public Notice



Exhibit F. Site Photos



Width of Bonforte Blvd



Width of Liberty Ln





**Exhibits G. Supporting Documents: Application, Birds Eye Perspective, Property Owner Affidavit,
Setback Plan**

To view the Supporting Documents, please visit the Planning and Community Development
Department at 101 W Riverwalk or call (719) 553-2259.