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Andrew Ruybal

Zoning Board of Appeals

ZBA-26-01

Hearing Date: 2/24/2026

TO:	City of Pueblo Zoning Board of Appeals
FROM:	Beritt Odom, Planning Director
THROUGH:	Beritt Odom, Land Use Administrative Official
LOCATION:	1302 Georgann Ct.
APPLICANT:	Jaci Taibi
PROPERTY OWNER:	Aaron Haaga
YEAR BUILT:	N/A
LEGAL DESCRIPTION:	LOT 56 BLK 6 RIVERS RUN SUBDIVISION FORMERLY #04-314-29-003 + 04-314-30-001 + 04-314-31-001 + 04-314-32-001 + 04-314-41-001 + 04-314-42-002 + 04-314-43-001 + 04-314-51-001 + 04-323-00-018 THRU 021
ZONE DISTRICT:	Mixed Residential (R-4) Zone District
PARCEL ID:	432324051
LOT SIZE:	6,156 sq. ft.
REQUEST:	Variance to reduce required front yard setback in a Mixed Residential (R-4) Zone District

BACKGROUND

1302 Georgann Ct. is a 6,098 sq. ft. lot located in the River's Run Subdivision, north of S. Portland Ave. and east of Joplin Ave. The lot is located adjacent to the western portion of the Georgann Ct. cul-de-sac and has an irregular shape with a lot-depth of 81.92 ft. along the southern property line and a 110.38 ft. lot-depth along the northern property line. The applicants are requesting to reduce the front yard setback by 2.5-feet resulting in a 22.5 ft. front yard setback in order to maintain the 15 ft. rear-yard setback. The footprint of the proposed residence is approximately 1,429 sq. ft.

STAFF ANALYSIS

The proposed variance request is the fifth variance request on Georgann Ct., 1310, 1311, and 1307 Georgann Ct. have all received variances due to the irregularly shaped lots that front the cul-de-sac. The developer is also requesting a variance for 1302 Georgann Ct., which was heard prior this request. It appears that the only lots located on the Georgann Ct. cul-de-sac that will not need variances are Lots 53 and 57 of Block, 6. Because five out of the seven lots will have homes constructed with reduced front-yard setbacks, staff is not concerned that the proposed variance will have a negative affect on the aesthetics of the neighborhood and ruin an established symmetry.

SURROUNDING ZONE DISTRICTS AND LAND USES

	Zone:	Developed with:
North	Single-Family Residential (R-2)	Single family residential homes
East	Single-Family Residential (R-2)	Single family residential homes
South	Single-Family Residential (R-2)	Single family residential homes

West	Single-Family Residential (R-2)	Single family residential homes
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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. The encroachment into the front yard setback is not anticipated to reduce light and air to adjacent 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. The variance is not anticipated to jeopardize general planning of the city with respect to land use, or highways.
3. Strict adherence to this Title would not secure appropriate development of the property for which the variance is requested.
Comments: Neutral finding. A different single-family residential floor plan may be able to be constructed on this lot without a variance. However, the Legend's at River's Run do not appear to have a production home floor plan that fits the irregular Georgann Ct. lots.
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. Five of the seven lots adjacent to Georgann Ct. have either received a setback variance or are in the process of requesting a variance. The Georgann Ct. lots have irregular shapes, with odd depths and are not typical for production home development sites. The lot in question does not suffer a singular disadvantage; but it does suffer a disadvantage due to its inadequate depth and odd shape.

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-H. Application & 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

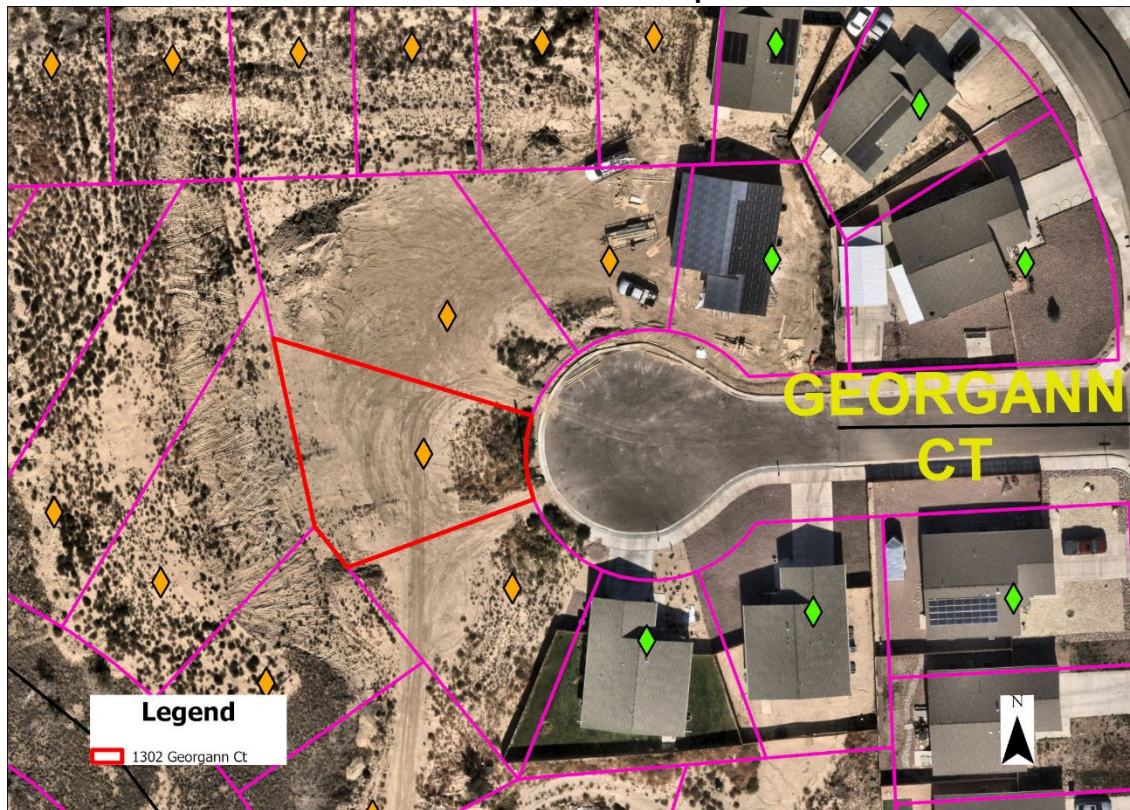


Exhibit C. Zoning Map

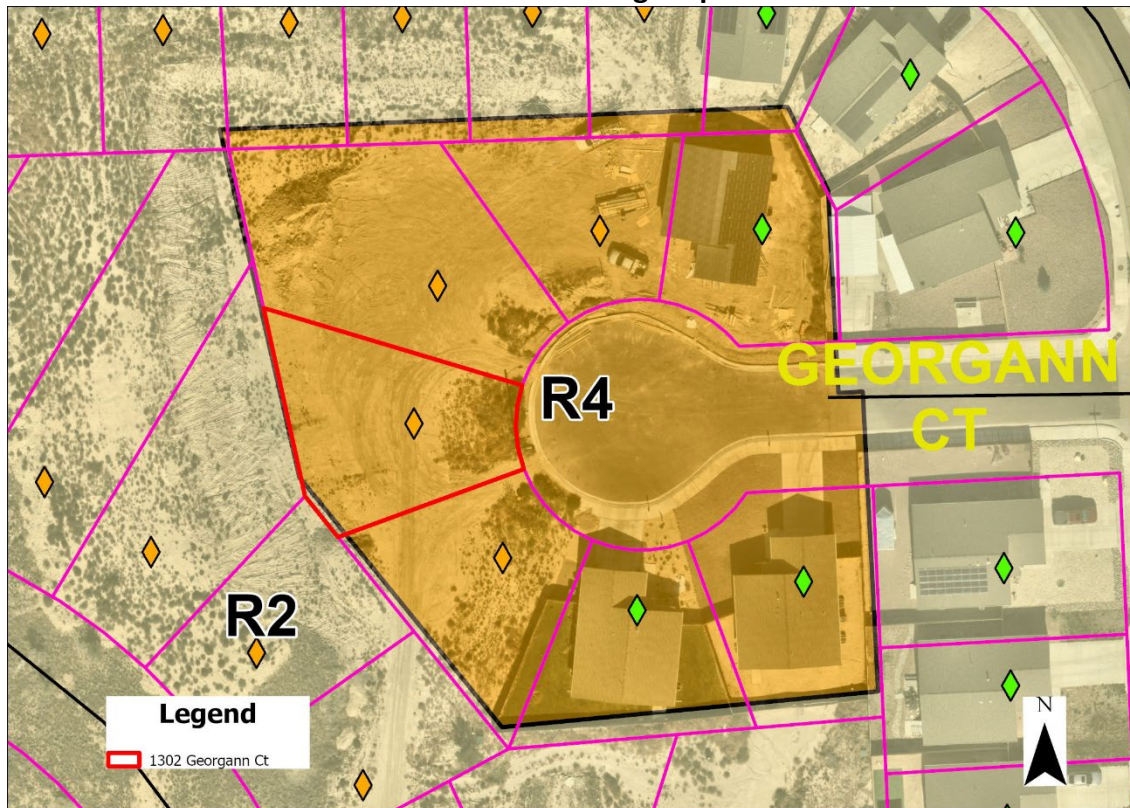


Exhibit D. Comprehensive Plan Map



Exhibit E. Public Notice

Exhibit F. Site Photos



Photo of Public Notice Poster on site



Photo of 1302 Georgann Ct. undeveloped lot

Exhibits G-H. Application & Supporting Documents

To view attachments, please contact Planning at planninglanduse@pueblo.us or visit us at 101 W Riverwalk Pl.