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Zoning Board of Appeals

ZBA-26-08

Hearing Date: 3/24/2026

TO: City of Pueblo Zoning Board of Appeals
FROM: Hannah Prinzi, Planner
THROUGH: Beritt Odom, Land Use Administrative Official
LOCATION: 1118 W 11th St.
APPLICANT: Divis Johnson
PROPERTY OWNER: Divis Johnson
YEAR BUILT: 1978
LEGAL DESCRIPTION: LOT 5 + E 22 FT OF 6 BLK 9 THATCHER + THOMAS ADD
ZONE DISTRICT: Mixed Residential (R-4) Zone District
PARCEL ID: 525324005
LOT SIZE: 7,854 sq. ft.

REQUEST: Special Use Permit for a Bed & Breakfast Inn in a Mixed Residential (R-4) Zone District

BACKGROUND

The applicant and property owner is requesting a Special Use Permit to operate a Bed & Breakfast Inn at 1118 W 11th St, located generally east of the Pueblo Pride Park. The subject property is a 0.18-acre lot within a Mixed Residential (R-4) Zone District and contains a 612 sq. ft. duplex built in 1978. One residential dwelling unit is located on the ground floor, and the second unit is located upstairs on top of the first. No exterior alterations, structural changes, or other site modifications are proposed. There are also two small accessory structures – 150 sq. ft. and 80 sq. ft. – along the eastern property line.

STAFF ANALYSIS

The Pueblo Municipal Code defines a Bed & Breakfast Inn as “a commercial enterprise which rents guest bedrooms to the general public” (Sec. 17-2-2, (20)). It is distinct from a Bed & Breakfast *home* in that an inn is not owner-occupied. Guest vehicles would enter and exit the property from W 11th St through the existing gate. There is a second gate also adjacent to W 11th St for pedestrian access. Per the Pueblo Municipal Code, at least two paved off-street parking spaces must be provided for the proposed use, and the spaces must be connected to the street with a paved driveway. The parking spaces and driveway must be paved with “asphalt concrete, Portland cement concrete, pavers, or equivalent materials.” While the site provides ample area to park vehicles, it is improved with gravel, which is not an approved parking base material. Should the Special Use Permit be granted, staff recommends conditioning the permit so that two permanent, off-street parking spaces and a permanent driveway are provided – one to serve each dwelling unit. Staff also recommends conditioning the permit so that the two small accessory structures are removed. This is in accordance with Sec. 7-4-23, (c), (9) which strictly prohibits the use of metal panels as siding material. Removing the accessory structures would bring the site into compliance.

Otherwise, the subject property is already served by utilities, has a residential bin for trash, and is screened from view by an existing wooden fence. The properties to the west are zoned for Mixed-Residential (R-4) but are either

blighted or vacant. The properties to the south across the alley are zoned Industrial and developed with railroad tracks and a construction yard.

SURROUNDING ZONE DISTRICTS AND LAND USES

	Zone District:	Developed with:
North	Mixed Residential (R-4) Zone District	One-family residences
East	Mixed Residential (R-4) Zone District	One-family residences
South	Industrial (I-2) Zone District	Railroad tracks, BAHA Construction
West	Mixed Residential (R-4) Zone District	Vacant land

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 will enter and exit the property from W 11th St. There is an existing curb cut and gate to allow vehicle access to the site. There is a second gate for pedestrian access off of W 11th St in front of the duplex. The first guest bedroom is located on the first floor, while the second is located upstairs.
- 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. One- or two-family residential dwellings are required to provide at least one off-street, paved, and permanent parking space for each dwelling unit. The off-street parking spaces must also be connected to a public or private street by a permanent driveway (Sec. 17-4-42., (a)). There are no paved or permanent spaces on-site. Should the Special Use Permit be granted, staff recommends conditioning the permit so that two permanent, off-street parking spaces and a driveway connecting the spaces to W 11th St are provided.

3. Refuse and service areas, with reference to the items above.
Comments: Affirmative finding. Trash is stored in a residential bin in the northeast portion of the lot and picked up regularly off W 11th St.
4. Utilities, with reference to the location's availability and compatibility.
Comments: Affirmative finding. The property is served by existing public utilities, including water, sewer, electricity, and gas. The proposed use would not increase utility demand.
5. Screening and buffering with reference to type, dimensions, and character.
Comments: Affirmative finding. The subject property is surrounded by a wooden fence along its boundaries, screening the property from view.
6. 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 commercial signage is proposed. Exterior lighting will remain residential in scale and design, utilizing existing fixtures where applicable. Lighting will comply with Code requirements to be directed downwards to minimize glare.
7. Required yards and other open space.
Comments: Affirmative finding. Open space is not required for this site or use, and the duplex maintains the required setback distances of the R-4 Zone District.
8. General compatibility with adjacent properties and other properties in the district.
Comments: Affirmative finding. The proposed use is moderately more intense than a typical residence, with renters staying for shorter period of time. However, it is still residential in character, and the existing screening reduces its impact to surrounding properties.

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. Two off-street, permanent parking spaces and a driveway connecting the parking spaces to W 11th St. shall be provided. The spaces and driveway must be paved with asphalt concrete, pavers, or equivalent material so that they are permanent in character.
2. The two accessory structures, constructed with metal panels, must be removed from the site.

ATTACHMENTS

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

Exhibit A. Standard Permit Conditions

Standard Permit Conditions Date of Issuance of Permit: 3/24/2026	
1.	Time Limits Zoning permit shall become invalid unless work or action authorized by permit is fully executed by 3/24/2027
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

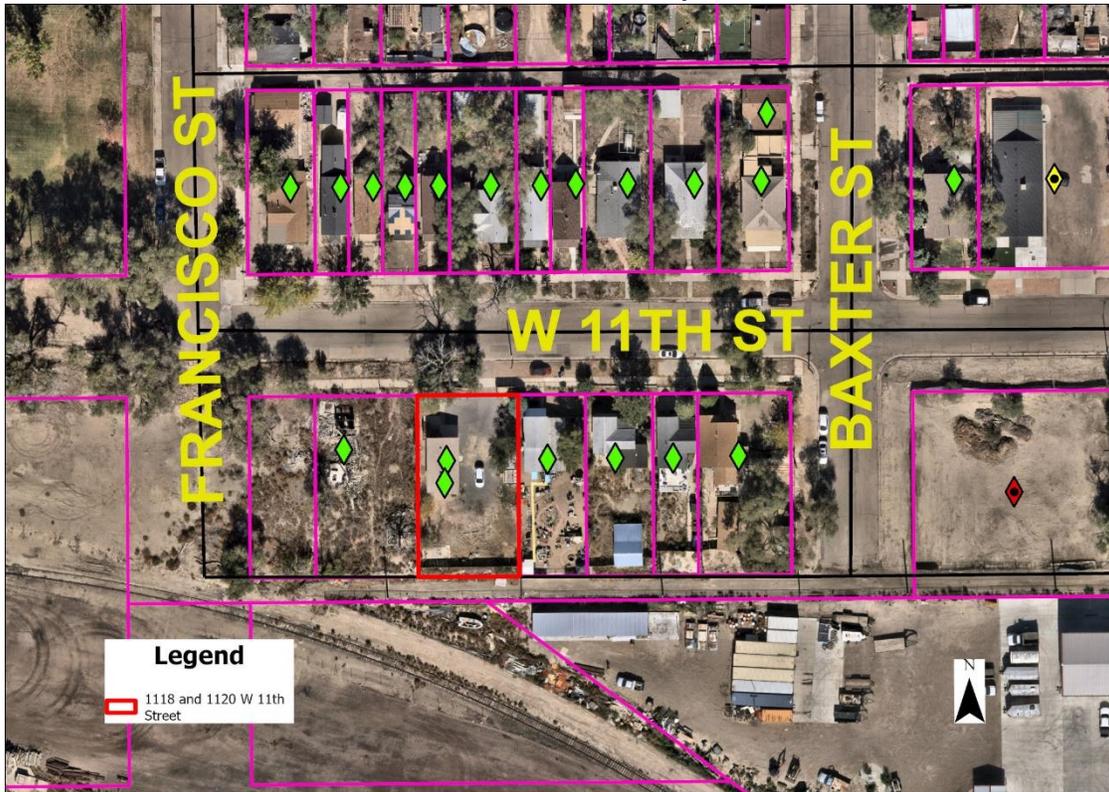


Exhibit C. Zoning Map

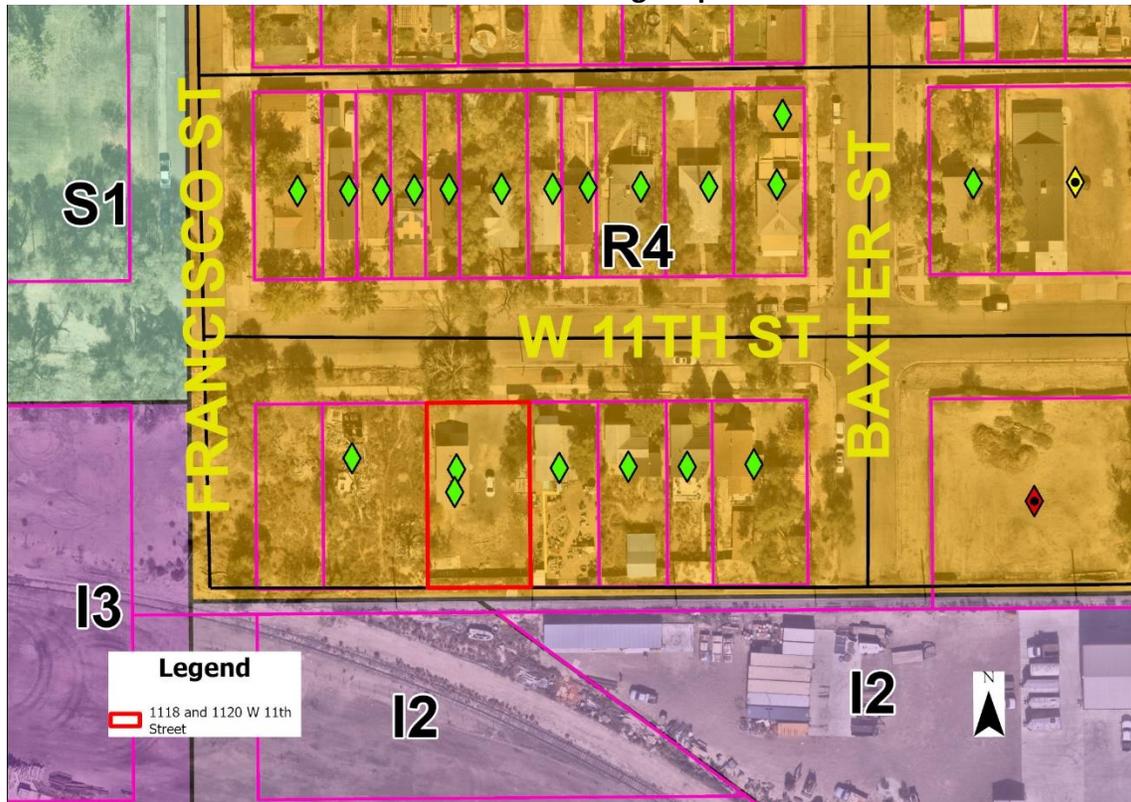


Exhibit D. Comprehensive Plan Map

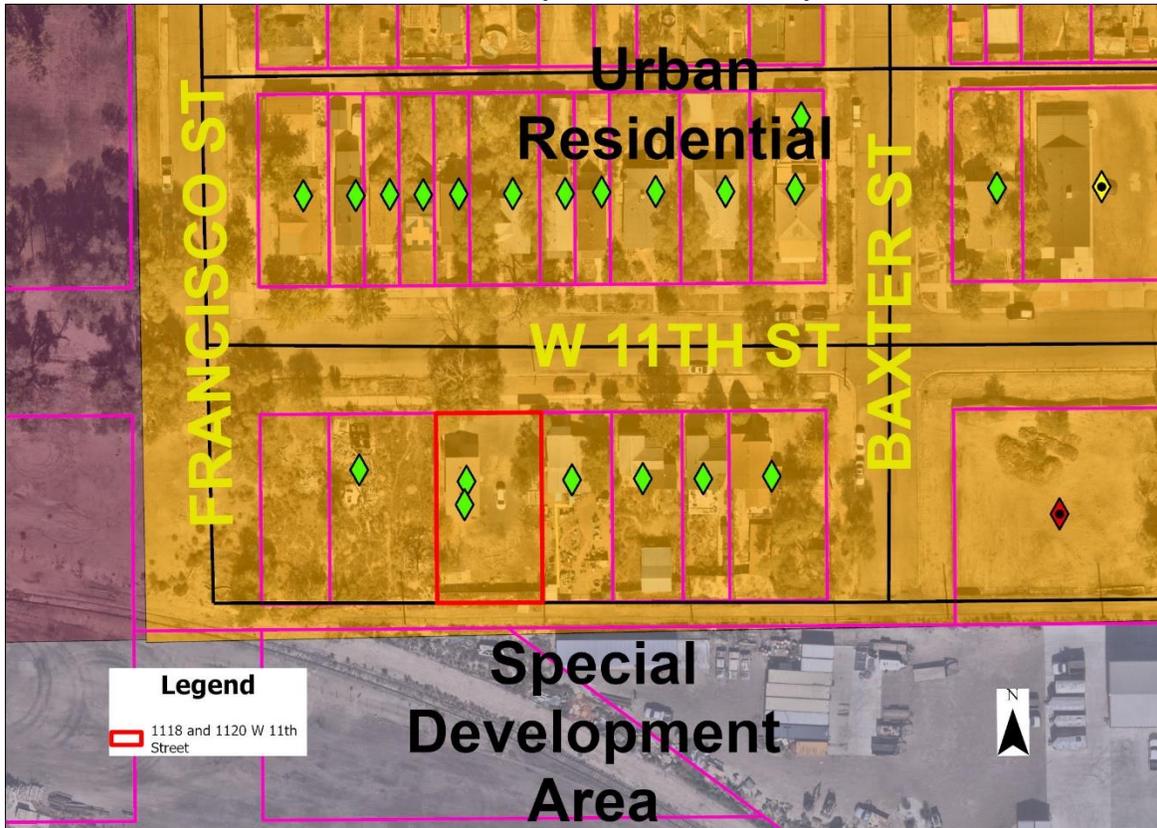


Exhibit E. Public Notice



Exhibit F. Site Photos







Exhibits G. Supporting Documents: Application and Site Plan

To view the supporting documents, please visit the Planning and Community Development Office at 101 W Riverwalk or call (719) 553-2259.