

STEAMBOAT SPRINGS BOARD OF ADJUSTMENT
June 21, 2018

The special meeting of the Steamboat Springs Board of Adjustment was called to order at approximately 5:09 p.m. on Thursday, June 21, 2018, in Room 113-114, Centennial Hall, 124 10th Street, Steamboat Springs, Colorado.

Board of Adjustment members in attendance were:
Chair Jim Moylan, Vice-Chair Theo Dexter, David Levine, Ryan Spaustat and alternate Peter Arnold. Absent: Effinger
Staff members present were Kelly Douglas and Michael Fitz.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

None.

#1: MAA-18-05

STAFF PRESENTATION

Kelly Douglas: The project before you this evening is a major adjustment to a waterbody setback located at 1015 Pine Street; zoned Residential Old Town. They're requesting to expand the volume of the legally nonconforming structure by adding second-story living space. The addition will encroach into the waterbody setback in the same arrangement that the existing legally nonconforming structure encroaches; that is by 1 foot, 1 inch at the southeast corner and 7 inches at the southwest corner. No public comment has been received, and staff is recommending approval.

APPLICANT PRESENTATION

None.

QUESTIONS FOR STAFF

Levine confirmed that the setbacks will not be changing but the increased volume is why this matter is before the Board.

APPLICANT PRESENTATION

None.

QUESTIONS FOR APPLICANT

None.

BOARD MEMBER DELIBERATION/MOTION

Board Member Levine moved to approve MAA-18-05; Board Member Spaustat seconded the motion. The motion carried unanimously.

#2: MAA-18-06

STAFF PRESENTATION

Bob Keenan:

Before you tonight is a major adjustment to allow an encroachment up to 12 feet, 11 inches into the 25-foot front setback for the purpose of constructing a new front entry deck and attached garage with living space above AT 815 West Hillside Court. The 12-foot, 11-inch encroachment is the maximum encroachment; that is for the entry stair and landing. However, the attached garage is going to be set back 23.5 feet, so it's only a 1.5-foot encroachment for the garage.

The property is a single-family residence constructed in 1980, and apparently at that point in time the front setback wasn't quite as significant as the 25 feet. The applicant is under contract to buy the property and wishes to do some upgrades, so they're seeking approval prior to buying the property from the owner, which is the Steve Novak trust.

It currently doesn't have a garage. They'd like to add a garage and some additional living space. So we're dealing with a legal nonconforming structure that's already encroaching the front setback. The current entry the home is via a ramp. The property slopes down from the street. The access to the front door is currently from a legal nonconforming ramp that is over 30 inches and would be required to meet building setback standards if it was built today. The applicant is proposing to demolish that ramp and do a formal entry way and stairs that will be a little bit less of an encroachment.

There's basically two driveway accesses off of the street right now, which is nonconforming; you're allowed to have one driveway access; the applicant is proposing to remove the one that is directly in front of the front entrance and keep the one that comes down into the property a little bit further which is proposed to access the new garage.

Staff is recommending approval of the variance with the findings included. We do agree with the applicant that there's a combination of factors that contribute to the need for the adjustment, which is the existing configuration of the floor plan of the existing home, the existing legal nonconformities and how one would do an addition to this home. It seems to meet the minimum relief to work with the existing configuration of the home while still adding an addition to the home.

The recommendation for approval includes one condition dealing with the driveway.

APPLICANT PRESENTATION

Brian Adams, Applicant:

There are a number of different factors with the topography, the shape of the lot and things like that to get this garage to add onto the existing house. I also think

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we can really improve upon what's there right now, even though it's not really a criteria. That entrance ramp is quite the bridge; it extends really far into the front easement. I think being able to pull that back and just putting in a sidewalk and some steps going up to the front door is a help as well.

BOARD MEMBER QUESTIONS

Arnold: Are those two little outbuildings going to remain?

Adams: The one that's nicer would be great. We would need to find a place on the lot to move it in order to keep it. Where it is it's certainly in the way.

Moylan confirmed that Criteria #7 is not applicable according to staff and the applicant.

BOARD MEMBER DELIBERATION/MOTION

Board Member Dexter moved to approve MAA-18-06 with staff's recommended condition; Board Member Spaustat seconded the motion.
The motion carried unanimously.

MAA-18-07

STAFF PRESENTATION

Michael Fitz, Planning Technician:

This is a sign major adjustment for the Casey's Pond senior living facility at 2855 Owl Hoot Trail. It's zoned MF3. The applicant is requesting a 42 square foot wall sign on the west façade which faces somewhat southeast toward the intersection of US40 and Walton Creek Road.

The standards that they are proposing to adjust are any of the following three: Section 26-226-3(A) allows you to have sign square footage on a façade with street frontage; this façade does not have street frontage.

24-226-3(D) says that they may get a different allocation – a bit less – for facades with alley frontage or path frontage, which only applies if they have a secondary public entrance on that alley or public walkway; they do not.

24-226-3(E) allows them to distribute signage allocated from one frontage to a frontage that otherwise does not get an allocation.

Sign variances are a little bit unusual compared to say a setback where a setback variance has a single standard that you are varying that's definitive. In this case, any of these three standards could be varied, and that would give a legal status to this application.

Casey's Pond has over 350 feet of frontage on Walton Creek Road, none of which they've used. So they could allocate up to 120 onto that other frontage.

The applicant would like to orient their sign to US40 because the way the code is applied in this case, all their frontage actually faces south and east, which is toward residential areas as opposed to towards US40.

Staff supports the adjustment. We find that they meet the alternative criteria for approval for signs. We have received no public comment.

APPLICANT PRESENTATION

None.

BOARD MEMBER QUESTIONS

Levine asked the reasoning behind the addition of this signage and wondered if it was due to people having difficulty finding the facility.

Fitz: The narrative does address that. I don't think their criteria necessarily require a hardship, but it requires us to look at the unique and geographical characteristics of the property. The site is unique in the sense that it's one of the furthest away buildings that is still oriented towards US40. Its entrance is on the east side, but everyone that drives to it would come from US40 and turn onto Walton Creek Road. Evidently, the applicant has found that a lot of people miss

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that turn. The façade that they have chosen happens to point directly at that intersection and is currently unused.

Dexter: Was there any thought put into some timed lighting during the wintertime? I would suggest that. If it's way up there in the eave and we don't have direct lighting on it, after about 4:30-5:00 it will be in the dark. That's just a thought I had as a way the sign could be more effective.

There's another business in town that is across a field from Twenty-mile Road. I think an awful lot of people would miss them if they didn't have a good-size sign. So the concept I think is very valid.

BOARD MEMBER DELIBERATION/MOTION

Board Member Dexter moved to approve MAA-18-07; Board Member Levine seconded the motion. The motion carried unanimously.

#4: Approval of Minutes: April 19, 2018

Board Member Spaustat moved to approve the April 19, 2018 meeting minutes; Board Member Dexter seconded the motion. The motion carried unanimously.

ADJOURNMENT

Board Member Levine moved to adjourn the meeting at 5:30 p.m. Board Member Spaustat seconded the motion. The motion carried unanimously.