

Date: Tuesday, February 24, 2026

Time: 6:00 PM

Location: Hybrid - In-Person: Hearing Room 1st Floor, 200 West Oak Street, Fort Collins or Virtual, Zoom.

BOARD OF ADJUSTMENT HEARING MINUTES

The Larimer County Board of Adjustment met in the Hearing Room as well as virtually by Zoom video at 6:00 p.m., on Tuesday, February 24, 2026, at which time the following business was transacted.

Board Members Present: Forrest Hancock, Brannon Hughes, Philip San Filippo, Lauren Light, and Lee Taylor. Alternate Board Members Tom Wood and Shana Garcia were also in attendance but did not participate during voting.

Staff Present: Kassidee Fior, Jared Seay, and Ryane Oswandel (Community Development Planning Division) Christine Luckasen (Larimer County Attorney).

APPROVAL OF THE MINUTES

Board Member San Filippo moved, and Board Member Taylor seconded the motion to approve the January 27, 2026, minutes of the Larimer County Board of Adjustment, as presented.

Board Members: Taylor, San Filippo, Light, Hughes, and Hancock voted in favor. The motion carried (5-0).

CONSENT ITEMS

Item No. 1 – Casas Setback Variance, File No. 24-ZONE3677

MOTION

Board Member Taylor moved, and Board Member Hughes seconded the motion that the Board of Adjustment adopt the following Resolution: BE IT RESOLVED that the Larimer County Board of Adjustment approve the consent agenda as presented.

Board Members: Taylor, San Filippo, Light, Hughes, and Hancock voted in favor. The motion carried (5-0).

DISCUSSION ITEMS

Item No. 1 – Welcome to Realty LLC 401k PSP Variance, File No. 25-ZONE3819

[View Staff Presentation](#)

APPLICANT'S PRESENTATION

[View Applicant Presentation](#)

BOARD OF ADJUSTMENT, STAFF, and APPLICANT'S DISCUSSION

During the discussion, staff clarified that the property is located just outside of the Fort Collins Growth

Management Area (GMA), situated further to the north. The discussion then continued with the applicant whether the neighbors had actually seen the formal plot plan prepared by Majestic Surveying. The applicant confirmed that their communications were over the phone, and neighbors likely had not seen the formal plan unless they accessed the county's application files. The Board also inquired about a 9.30-foot setback measurement shown for a neighboring property, which the applicant admitted to calculating himself using a Google Earth GIS ruler rather than relying on a professional surveyor.

Confusion regarding an easement vacation was addressed when the applicant claimed the County Commissioners had already approved and recorded it; however, staff corrected this by clarifying that the vacation is entirely contingent upon the approval of the current variance application, and it will be voided if the variance is denied. The Board further discussed recent roadwork, with the applicant noting that the County repaved the adjacent road within the last year but did not widen the right-of-way, expand the paved area, or add curbs and sidewalks. Regarding future development, the applicant stated his intention to build a three-car garage on the north side of the lot, assuring the Board that it would fully comply with all required setbacks.

The Board also sought clarification on the site plans and the structure itself, confirming that the current foundation was newly poured in 2022 and that the rectangular outline on the plans represents the home's eaves rather than just the foundation footprint. The applicant also noted that downspouts will be designed to direct water away from the road area. The applicant clarified that he could reuse part of the existing foundation while moving the structure away from a problematic property corner. Staff displayed a 2019 historical aerial image showing that the original home on the site was also in conflict with the setback, and the Board confirmed that shifting the new home south would align it visually with the immediate neighboring house to the south.

PUBLIC COMMENT

Vicki Niccum, Will Walker, Dave Haughey, Eric Gertge, and Christa Novelli

Comments

During the public comment period, several neighbors shared a mix of support, concern, and opposition regarding the variance request. One neighbor expressed apprehension about the potential addition of a large unattached three-car garage in a neighborhood that lacks them, and lamented the prolonged abandonment of the current modular home. The immediate southern neighbor admitted he was not thrilled about the proposed side setback but supported the application because he preferred seeing the property finished and occupied rather than remaining a blighted nuisance that has attracted weeds, pests, and trespassers for years. Another resident opposed the variance, arguing that the County should enforce compliance with existing codes rather than setting a precedent of granting leniency for an applicant's mistakes.

A neighbor residing two houses to the south also opposed the application, criticizing the applicant for ignoring building inspection requirements to obtain a professional survey before pouring the new foundation. This neighbor presented measurements claiming the new structure was placed 17 feet closer to the street than the original home, expressed concerns about fire code violations due to the eaves being close to the southern fence, and argued the structure should be moved back to the east rather than slid south. Finally, an online participant echoed concerns about the home being pushed forward on the lot compared to neighboring properties and sought guarantees that any future garage would adhere to standard setbacks. This participant also corrected earlier testimony by clarifying that the adjacent road was only chip-sealed rather than repaved, and pointed out that the neighboring property to the north is a recovery residence, which might explain their lack of aesthetic concern for the neighborhood.

In response to a question about appealing the Board's decision, the County Attorney clarified on the record that any affected party has the right to file a 106 appeal of a land use decision.

APPLICANT'S REBUTTAL

The applicant rebutted the opposition by citing existing property setbacks from 2019, demonstrating that the new

location is not 17.5 feet closer at its shortest point than previously recorded. To support this, the applicant provided measurements drafted by a licensed surveyor and asserted that the placement of a double-wide home is fully permitted under current zoning. Addressing calls for strict code compliance, the applicant pointed out that the neighborhood already features existing non-conforming setbacks, and he also noted that the adjacent recovery residence is an unforeseen challenge that did not exist when the project began three years ago. Christopher Conant, legal counsel for the applicant, further argued that characterizing the residence as a "trailer park" is offensive and fails to acknowledge the severe housing crisis in Colorado. It was noted that approving the variance would immediately abate the blight the property currently poses to the neighborhood while saving county resources from the costs of further appellate litigation. Additionally, the applicant clarified that any future three-car garage could be built in a space-saving tandem layout, and his attorney reminded the Board that any future construction would be subject to the standard County permitting process anyway.

BOARD OF ADJUSTMENT DISCUSSION:

The Board inquired about why the home could not be placed within the exact footprint of the previous structure. Staff clarified that while the home could have been replaced in the original non-conforming footprint within a specific timeframe following demolition, the applicant instead opted to pour a new foundation in a different location, which resulted in the current setback violation. When asked by the Board why the new foundation was situated in that specific area, the applicant explained that the original foundation was cracked and unusable due to fire damage. The applicant further stated that the new foundation was placed based on loose measurements related to the street rather than a formal survey boundary. Staff confirmed that the building permit explicitly contained a written condition requiring a setback certification by a licensed surveyor prior to the foundation being poured. However, the applicant claimed that an on-site building inspector verbally told them they were 'good to go' and could pour the concrete. The applicant therefore proceeded with the pour before satisfying the professional survey condition, though it was ultimately acknowledged during the discussion that forcing the applicant to move the structure eastward now to correct the mistake would require an extreme financial expense to crane the building and demolish the new foundation.

BOARD OF ADJUSTMENT DELIBERATION

Prior to deliberation, the County Attorney officially clarified on the record that the Board of Adjustment does not set precedents. Furthermore, she stated that the application currently before the Board has no impact on an ongoing Court of Appeals case, and similarly, that case has no impact on the Board's decision.

A member of the Board stated support for the variance, noting that the Board does not function as an architectural review board regarding the specific style of the modular home. It was observed that the proposed 7.3-foot setback represents an improvement over the previous non-conforming condition and that the home will align visually with the neighboring property to the south. Furthermore, it was argued that allowing the applicant to reuse the existing utilities and the foundation already laid is a matter of practical utility.

Another member of the Board expressed agreement, highlighting that the fire and engineering departments raised no objections, the road would not require widening into the right-of-way, and the variance effectively resolves an abandoned property issue. A further member of the Board added that while the applicant's prior actions were flawed, the priority is to remediate the property, noting that the new structure adheres to significantly improved building codes compared to the original 1970s residence. Collectively, the Board agreed that any future garage additions fall outside the current purview and must strictly adhere to standard County permitting processes.

MOTION

Board Member San Filippo moved, and Board Member Hughes seconded the motion that the Board of Adjustment adopt the following Resolution: BE IT RESOLVED that the Larimer County Board of Adjustment approve the Welcome to Realty LLC setback variance, file number 25-ZONE3819, subject to the conditions of approval outlined in the staff report.

Board Members: Taylor, San Filippo, Light, Hughes, and Hancock voted in favor. The motion carried (5-0).

REPORTS FROM STAFF

None.

ADJOURN

With there being no further business, the hearing adjourned at 7:24 p.m.

These minutes constitute the Resolution of the Larimer County Board of Adjustment for the recommendations contained herein which are hereby certified to the Larimer County Board of Commissioners.



BOARD OF ADJUSTMENT HEARING

February 24, 2026

Welcome to Realty LLC 401k PSP Variance, File No. 25-ZONE3819 Staff Presentation

LARIMER COUNTY PLANNING



Welcome to Realty, LLC Setback Variances; Case No. 25-ZONE3819

Board of Adjustment for February 24, 2026

STAFF PLANNER: Jared Seay



VICINITY MAP

7800 Costigan Ave,
Fort Collins, 80525

Located roughly 800
feet South of
Carpenter Rd.

In area between Fort
Collins and Loveland.



SITE INFO

- **Zone District:** UR-2
- 0.24-acre parcel

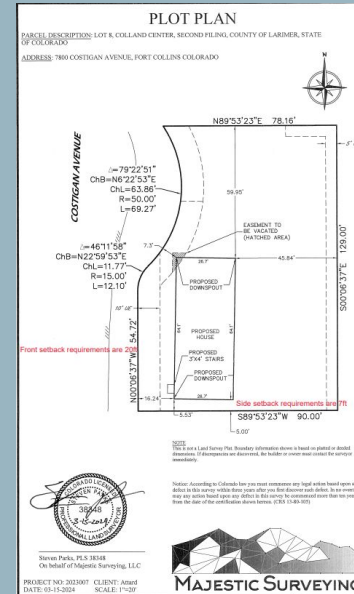
Variance Request:

1) Request for setback variance to allow a new dwelling to be 7.3ft from the Northwest corner of the parcel where 20ft is required.

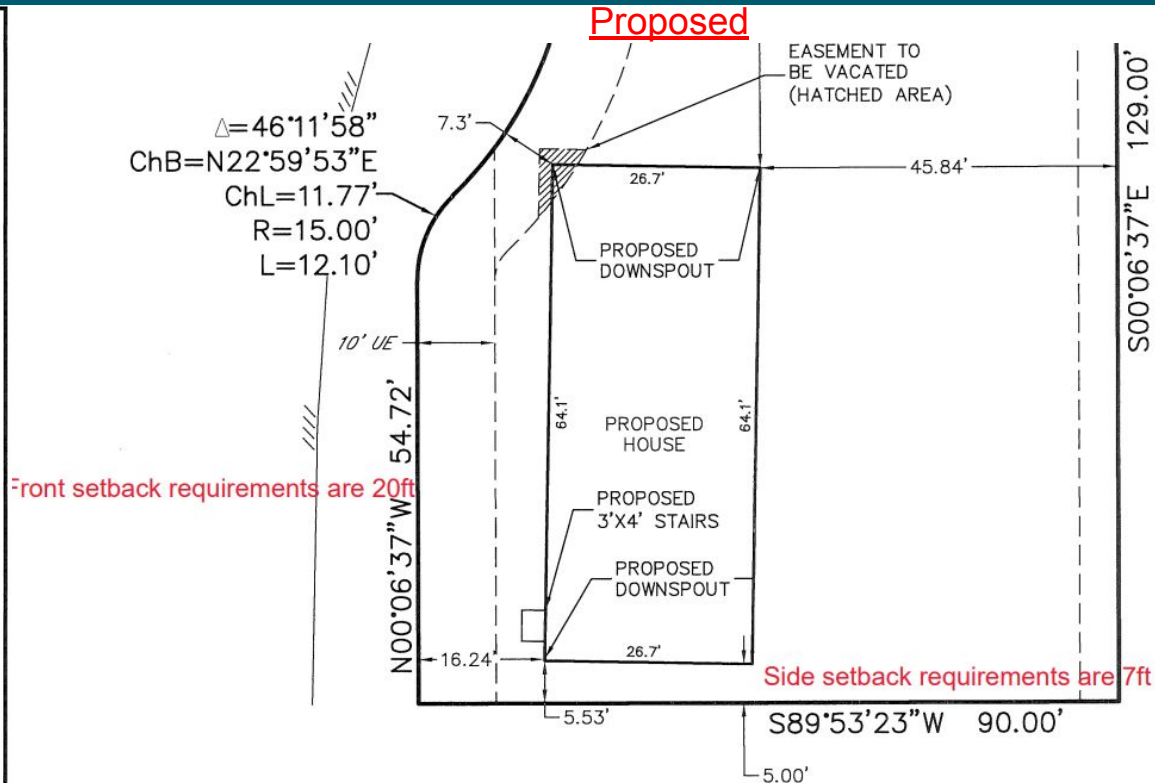
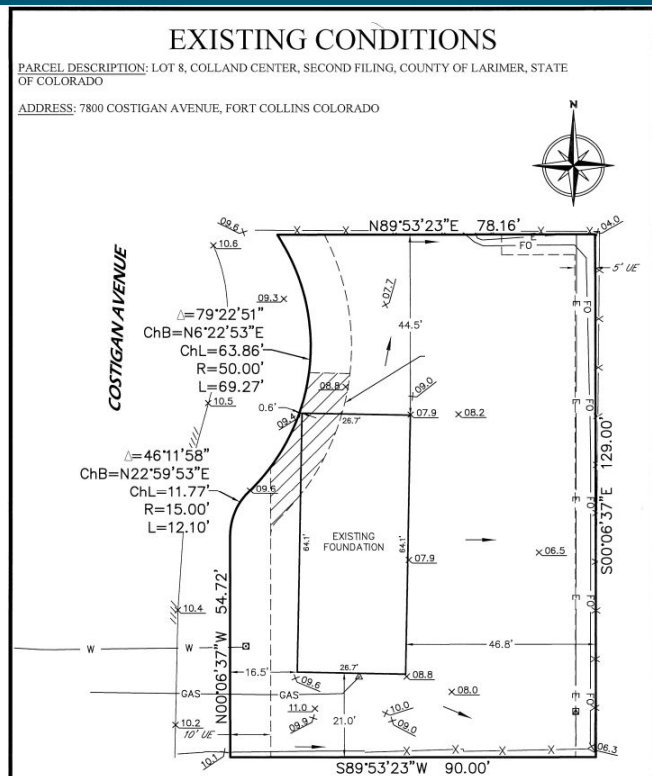
2) Request for 5.0ft from the southern lot line where 7ft would have otherwise been required.

G. Review Criteria

In the event a matter is brought before the Planning Commission, County Commissioners, Flood Review Board, or Board of Adjustment, all or in part to "cure" a violation or alleged violation of this Code, the review criteria applied shall be those as stated in the Code for the applicable type of approval without regard to past investment in an illegal use.



SCALED DRAWING



SITE PHOTOS

Photos are of the current location at lot line. If approved, this would be 7-ft further towards the property rear (east)



The distance from the NW corner of the home to the street



SITE PHOTOS

Photos are of the current location at lot line. If approved, this would be 7-ft further towards the property rear (east)



North side, where future garage will be built

SITE PHOTOS



The current distance from edge of roadway pavement is approximately 25-ft per the applicant, but the distance from the edge of the lot line and Right-of-Way to the current home is only 6 inches. This Variance seeks to set it back to 7.3 ft from the front versus the current 6-inches.

NEIGHBORHOOD NOTIFICATION

Notification was sent to all neighbors within 500-feet of the subject property and within the same subdivision.



Comments were received from five (4) neighbors.

Three (3) of the 5 comments were received after the notice for hearing was received and were published in an addendum.

REVIEW CRITERIA

To approve a Zoning Variance application, the Board of Adjustment must find that paragraph (1), (2), or (3), has been met and that paragraph 4, 5, and 6 have each been met:

- (NA) 1. Strict compliance with the standard sought to be varied will cause either:
 - a. A peculiar and exceptional practical difficulty;
 - b. An exceptional and undue hardship on the owner by reason of an exceptional physical condition of the property such as narrowness, shallowness, topography, or location of the property, or other extraordinary and exceptional situation unique to the property provided the difficulty or hardship is not caused by the act or omission of the applicant.
- 2. The requested variances will promote or maintain the general purpose of the standard for which the variances are sought and will be equal to or better than the standard.
- 3. The requested variances will diverge from the standard only in a nominal, inconsequential way when considered in the context of property in the vicinity of the subject land or structure.
- 4. Granting the variances will not result in a substantial adverse impact on other properties in the vicinity of the subject land or structure or be a detriment to the public good;
- and 5. Granting the variances will not substantially impair the intent and purpose of the Code and Comprehensive Plan;
- and 6. The recommendations of referral agencies have been considered.

REVIEW CRITERIA

To approve a Zoning Variance application, the Board of Adjustment must find that paragraph (1), (2), or (3), has been met and that paragraph 4, 5, and 6 have each been met:

1. N/A Strict compliance with the standard sought to be varied will cause either

- i. a peculiar and exceptional practical difficulty or,
- ii. an exceptional physical condition of the property such as narrowness, shallowness, topography or location of the property, or other extraordinary and exceptional situation unique to the property provided the difficulty or hardship is not caused by the act or omission of the applicant, or

Staff have found that this criterion has not been met, nor has the applicant provided justification that this review criteria should be met within their project description, included in Attachment A.

The lot is somewhat irregularly shaped due to the curvature of the corner of Costigan Avenue, which contributes to the reasoning for which a variance is being sought. However, based on Staff review of the parcel, there is no apparent hardship because of an exceptional physical condition. The property is of sufficient size to move the dwelling, and possesses appropriate, relatively flat topography to allow for the dwelling to be placed where the setbacks could be met. Additionally, as described earlier in this report, the setback issues were caused by an act or omission of the applicant. Therefore, Staff have found this criterion has not been met.

REVIEW CRITERIA

2. The requested variance will promote or maintain the general purpose of the standard for which the variance is sought and will be equal to or better than the standard, or

Staff have found that this criterion has been met. Generally, setbacks are intended to minimize visual or direct impacts when approving new development and building envelopes on or near prominent landforms, landmarks, viewsheds, and natural features. Setbacks are also valuable in ensuring privacy, and that structures are placed in a manner that they can meet all applicable fire separation requirements of the Building Code. Setbacks from front property lines and road frontages are intended to meet those same objectives, but are typically increased to account for potential future roadway widening, safety from travel in rights-of-ways, and adequate driveway/parking areas for residential structures, in order to ensure less disruption to developed lots in the future.

The current Larimer County Land Use Code requires a variance if a structure in the Urban Residential 2 (UR-2) zone district is located less than 20-feet from the front lot line, 7-feet from the side lot line, and 15-feet from the rear property line. Any structure being constructed must meet these current setbacks, or request a variance. However, as mentioned earlier in this report, the previous structure had a reduced front setback of approximately 6-feet from the right-of-way, which was considered nonconforming. When that structure was damaged in the fire and subsequently demolished, it could have been replaced if reconstructed within one year from the date of removal and if placed in the identical location. The replacement dwelling was not placed in the same location, and was also not placed within the required setbacks.

Staff recognize that based on the modular home and the existing lot, the dwelling likely could have been placed to meet setback requirements. While a reduction is proposed, the 7.3-ft front setback would still adequately buffer the structure from the roadway and allow for access, parking, and safety, particularly when considering the similar existing setbacks of adjacent homes within the subdivision as shown in Figure 5. Additionally, based on Engineering comments it is not expected that the adjacent roadways will require expansions based on their current traffic volumes, stormwater management design, and road classifications. Similarly, the request for a reduced side yard setback of 5.0-feet also allows for more than the minimum fire-separation distance from one structure to the next and is not anticipated to obstruct neighbors or right-of-way access. Staff find that the request is equal to the intent of the current standard, though not better.

REVIEW CRITERIA

3. The requested Variance will diverge from the standard only in a nominal, inconsequential way when considered in the context of property in the vicinity of the subject land or structure.

Staff have found this criterion has been met. The requested variances will result in the property diverging from the standard in only a nominal and inconsequential way when considered in the context of property in the vicinity. Adjacent properties are similar in size with the same zoning setback requirements as the subject property. However, most of the adjacent properties have straight roadway frontage and right-of-way only, while this particular property contains a curved road frontage and right-of-way due to the design of Costigan Avenue as seen on the site plan and in Attachment C. Based on a review of the surrounding area, it appears that many adjacent properties have similar setbacks and character as shown in Figure 5 above, and as shown in the broader subdivision area as shown in Attachment A.

As mentioned previously, the previous dwelling had non-conforming setbacks and was built within approximately 6 feet of the road right-of-way (ROW). If the new structure had been constructed in an identical location, the previous existing (reduced) setbacks would have applied. However, the new single-unit dwelling was not placed in the same location as the old residence, meaning it is no longer considered non-conforming and thereby necessitating these variance requests.

There is no adverse impact on the adjacent right-of-way of Costigan Avenue proposed by this application. Engineering comments have been provided, and related conditions recommended, that would not allow any contemplated additions, expansions, or additional structures to be closer in proximity to the ROW than the final approved location of the home. Engineering would also not support the construction of a garage at the residence less than 20-feet from the ultimate ROW line if a garage is proposed with doors facing the roadway, and this information has been provided to the applicant.

When considering the ROW design, moving the existing residence to the proposed setbacks does not diverge more than a nominal amount from the standards in the Land Use Code, and in consideration of the layout and setbacks of other properties in the vicinity of the subject land and structure. Therefore, this criterion has been met.



REVIEW CRITERIA

4. Granting the Variance will not result in a substantial adverse impact on other properties in the vicinity of the subject land or structure or be a detriment to the public good.

Staff find that this criterion has been met. This is a residential parcel that was previously developed with a single-unit dwelling, and the replacement of a single-unit dwelling at a reduced setback will not result in a substantial adverse impact on other properties in the vicinity of the subject land or structure, or be a detriment to the public good. The proposed reduced setback is similar to those of adjacent houses in the same neighborhood, as shown in Figure 5 above.

As of the date of this report, Staff have received 2 comments from neighbors regarding this application.

One comment was in support, and one comment was in opposition to this application. The comment in support stated they felt this process and its prior versions had gone on too long and that the support this application to move forward with what would need to occur to make the site operational. The comment in opposition mentioned frustration with multiple land use cases for this parcel, as well as a desire for the application to be denied on grounds that the violation at the site was caused by an act or omission of the applicant.

Staff have reviewed the site and found that application will not impose additional burdens on public services or facilities and will not generate additional off-site impacts. The proposed setback variances will not impact the viability of any existing easements, as indicated by Larimer County Engineering . The dwelling would be required to meet all Building Code and Land Use Code requirements, aside from any variances granted through this application. The proposed variance will also not create any potentially adverse impacts as the new single-unit dwelling is entirely contained on the subject parcel, is not expected to change any drainage patterns, and does not obstruct any existing easements on or off the subject parcel.

Staff find that there are no apparent negative impacts to the existing context and character of the neighborhood, including other properties, or any detriment to the public good caused by this application.

REVIEW CRITERIA

5. Granting the variance will not substantially impair the intent and purpose of the Code and Comprehensive Plan;

Staff find that this criterion has been met. The residential use of the building on this parcel is consistent with the character of the area. The parcel is located in the “Planning Area” Framework of the Larimer County Comprehensive Plan, as it is within the area subject to the Plan for the Region Between Fort Collins and Loveland. The plan identifies this parcel as being within Subarea 9, which notes that this area is already urbanized but would generally support residential development with an objective to maintain a sense of openness between County Road 32 and Lemay Avenue. Setback variances are not contemplated with this regional plan, and as such, the subject request would not impair the intent and purpose of any of the goals of this sub-area plan.

Per the Larimer County Comprehensive Plan, the intended purpose of lot-line setbacks is to minimize visual or direct impacts when approving new development and building envelopes on or near prominent landforms, landmarks, viewsheds, and natural features. The requested variance will maintain the spirit of this standard as the existing and the proposed structures will be similarly situated and have similar visual impact as other homes within the immediate vicinity of the parcel. The proposed dwelling will still be adequately distanced from the adjacent roadway, structures will be located more than the minimum fire-separation distance from one structure to the next, and the request will not result in an adverse impact on properties in the vicinity. Staff have found that granting the requested variance will not substantially impair the intent and purpose of the Land Use Code and Comprehensive Plan.

and 6. The recommendations of referral agencies have been considered.

Staff find that this criterion has been met. The recommendations of referral agencies have been considered and are outlined below. All referral agency comments have been provided to the applicant and have been addressed through the proposed conditions of approval.

STAFF RECOMMENDATION

The Development Services Team recommends approval of the Welcome to Realty LLC 401k PSP Variance, File No. 25-ZONE3819, subject to the following conditions:

1. Failure to comply with any conditions of the variance approvals may result in reconsideration of the use and possible revocation of the approval by the Board of Adjustment.
2. These variances are only for the buildings or structures as submitted with this variance application. All future buildings, additions, and improvements must meet County setback requirements or must go through the proper County review and permit process prior to construction.
3. The approval of these variances shall automatically expire in one year unless the applicant takes affirmative action consistent with this approval.
4. The Larimer County Building Division must be provided with a written certification by a Colorado Licensed Land surveyor that the existing and proposed buildings are located where shown on the Larimer County approved Plot Plan for this development and that the minimum fire separation distance has been met.
5. The applicant will apply for all necessary permits to comply with the requirements of referral agencies on this application, including those deemed necessary Larimer County Code Compliance, the Larimer County Building Division, and Loveland Fire Rescue Authority.

RECOMMENDED MOTION

The Board of Adjustment recommends approval of the Welcome to Realty LLC 401k PSP Variance, File No. 25-ZONE3819, subject to the conditions in the staff report.



ALT. MOTION

The Board of Adjustment moves to deny of the Welcome to Realty LLC 401k PSP Variance, File No. 25-ZONE3819.





BOARD OF ADJUSTMENT HEARING

March 24, 2026

Welcome to Realty LLC 401k PSP Variance, File No. 25-ZONE3819 Application Presentation

An aerial photograph of a suburban neighborhood. A red circle highlights a specific property located near the center of the frame. The property is a large, dark-roofed house with a prominent chimney. The surrounding area includes other houses, trees, and a road that runs diagonally across the image. The text "7800 Costigan Ave" is overlaid in large, white, bold letters, with a horizontal line underneath it.

7800 Costigan Ave

Setback Variance Request



COSTIGAN AVENUE

$\Delta=79^{\circ}22'51''$
ChB=N6°22'53"E
ChL=13.86'
R=50.00'
L=69.27'

$\Delta=46^{\circ}11'53''$
ChB=N22°59'53"E
ChL=11.77'
R=15.00'
L=12.10'

EDGE OF ASPHALT

N00°06'37"W 54.72'

PROPERTY LINE

N89°53'23"E 78.16'

EASEMENT TO
BE VACATED
(HATCHED AREA)

PROPOSED
DOWNSPOUT

EVE

96 2410 5008

EXISTING
FOUNDATION

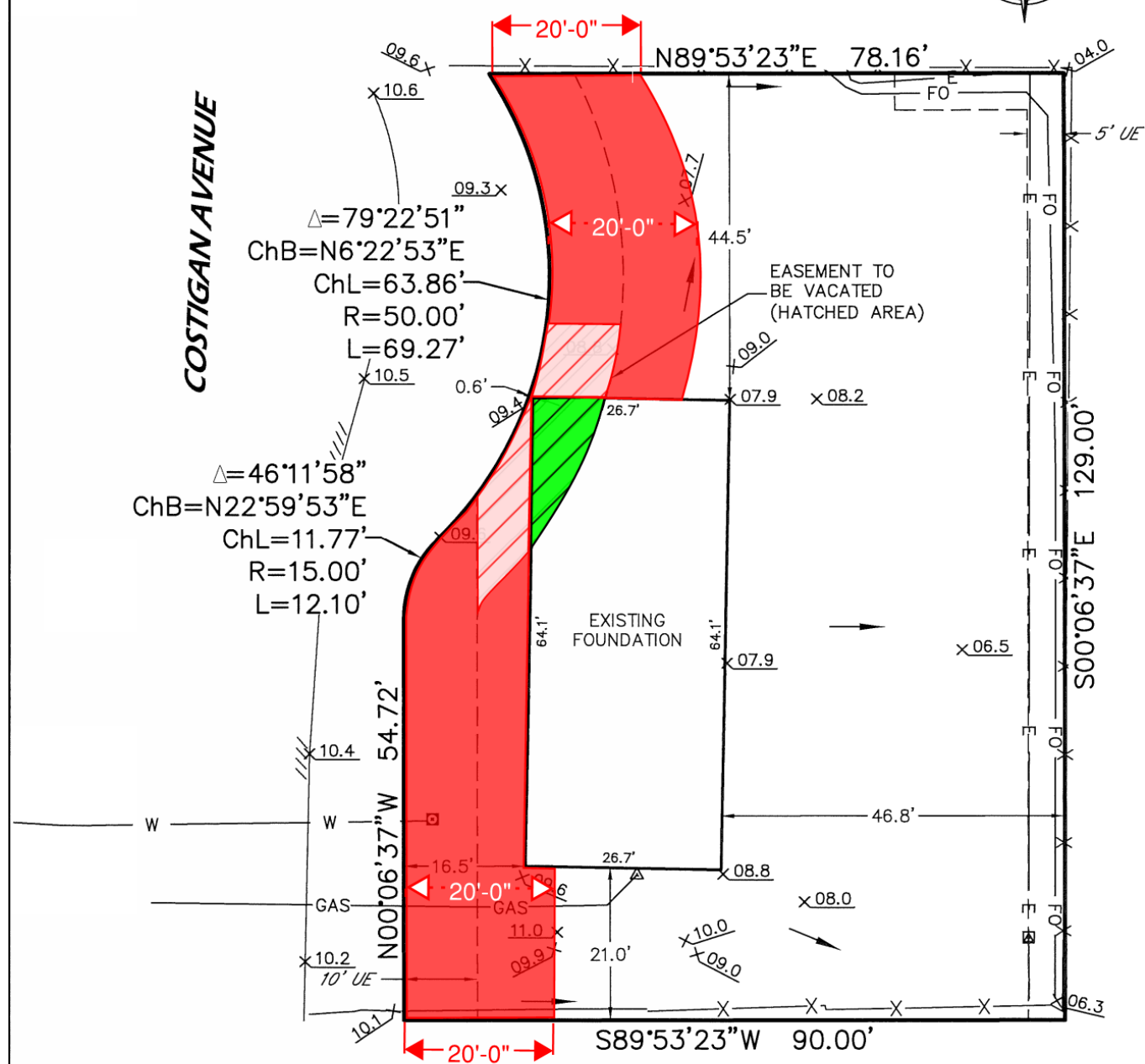
PROPOSED
3'X4' STAIRS

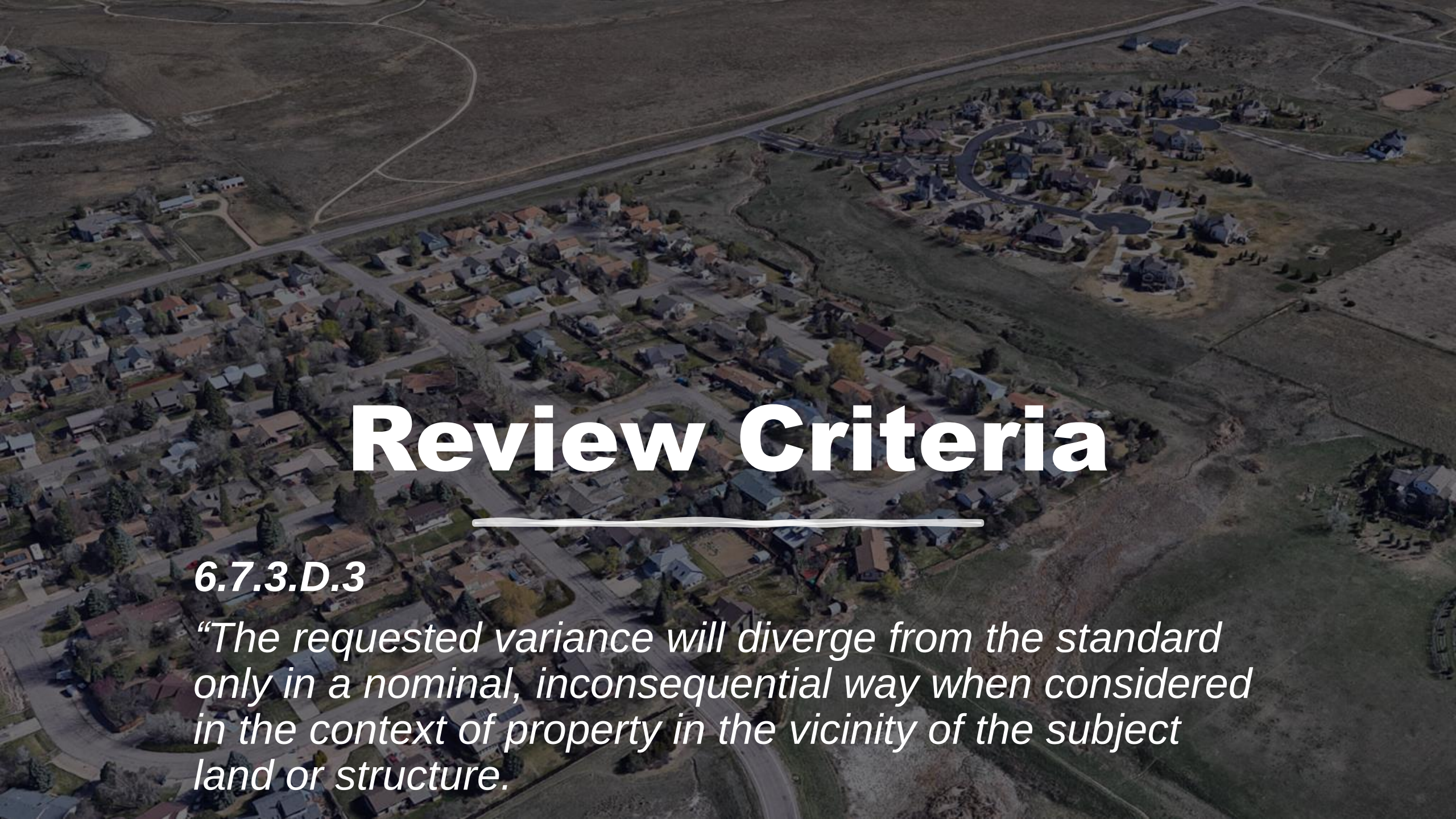
PROPOSED
DOWNSPOUT

96 2410 5007

COLLARD
CENTER 2ND

S00°06'37"E 129.00'





Review Criteria

6.7.3.D.3

“The requested variance will diverge from the standard only in a nominal, inconsequential way when considered in the context of property in the vicinity of the subject land or structure.”



Costigan Ave



Costigan Ave





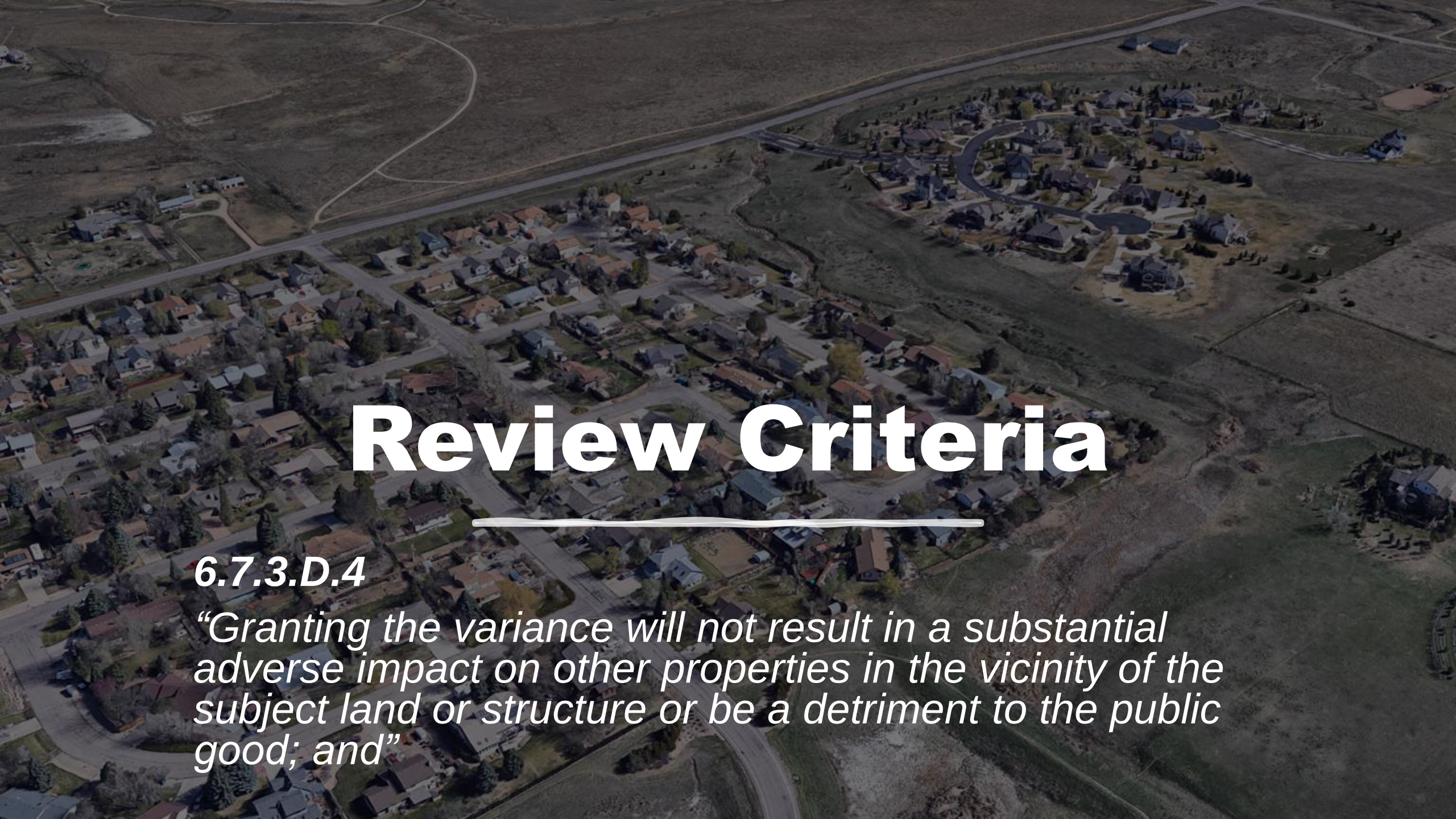
Park Pl

An aerial photograph of a suburban neighborhood. The image shows a grid of streets with numerous houses, some with swimming pools, and green lawns. The houses are mostly single-story with varying roof colors. The surrounding area includes some open fields and a few larger commercial or industrial buildings. The overall tone is slightly muted, with a dark overlay.

Planning Department

“Due to an oversight from Larimer County on setbacks certifications at the time of adjacent home construction, a host of lots in this subdivision do not meet setbacks for the current and prior zoning districts they resided in at the time of construction.”





Review Criteria

6.7.3.D.4

“Granting the variance will not result in a substantial adverse impact on other properties in the vicinity of the subject land or structure or be a detriment to the public good; and”

Block Sensitive Setbacks

7800 Costigan

7804 Costigan



DEVELOPMENT SERVICES
Block Sensitive Setbacks

Zoning Tip Sheet #1

Block Sensitive Setbacks

Page 1 of 2

Zoning Tip Sheet # 1:

Determining a Block Sensitive Primary Street Setback under the Denver Zoning Code

This guide explains how to apply the Denver Zoning Code to your property to determine an applicable Block Sensitive Primary Street Setback ("Block Sensitive Setback") standard. Block Sensitive Setbacks typically apply to all new residential construction in a residential zone district (e.g., -SU, -TU, -TH and -RH zone districts). Block Sensitive Setbacks are measured from the designated "Primary Street Zone Lot Line." This guide will help you understand these important zoning concepts, and should be read in conjunction with the applicable Denver Zoning Code provisions, referenced below. The Denver Zoning Code ("DZC") may be found online at www.denvergov.org/zoning.

Intent of the Block Sensitive Setback

The "Block Sensitive Setback," together with zone district regulations for maximum building height and bulk, provides a contextual setback responsive to existing conditions and helps to maintain an existing or planned neighborhood character along the same side of a primary street. The Block Sensitive Setback is a minimum building setback established using the location of the street-facing facades of neighboring primary structures (homes) located on at least 2 nearby zone lots called "reference lots." Development of a new or expanded primary structure (home) on the subject property can be located no closer to the Primary Street Zone Lot Line than the closest street-facing facade of a principal structure located on the 2 reference lots. See Figure 1, and DZC, Section 13.1.5.3 for more detail.

Step #1. Determine the Applicability of a Block Sensitive Setback

- Once you know the zoning for your subject property, refer to the applicable building form standards (e.g., the Urban House building form in a U-SU-C zone) to confirm whether a Block Sensitive Setback is required.
- If a Block Sensitive Setback is required, review the rules in DZC, Section 13.1.5.3.B, to confirm that your property actually qualifies for application of the Block Sensitive Setback. For example, a Block Sensitive Setback may not apply if there are less than 3 lots containing residential structures on the same side of the block as your property.

Step #2. Determine the Block Sensitive Setback Reference Lots

- For interior zone lots (see Figure 1), identify the two closest zone lots to the subject property that:
 - Contain a primary residential structure; and
 - Face the same Primary Street Zone Lot Line as the subject property.
- The reference lots for a corner property will be the two closest abutting zone lots that: (i) contain a primary residential structure; and (ii) face the same Primary Street Zone Lot Line as the subject corner property.
- Applicants may request an administrative adjustment in cases where the majority of reference lots have structures with less than/greater than the minimum required setback required by the building form/zone district, where two reference zone lots cannot be identified, or where the entire block face should be considered. See DZC, Section 13.1.5.3.C.



Figure 1



Block Sensitive Setbacks



Zoning Tip Sheet # 1:

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Step #1. Determine the Applicability of a Block Sensitive Setback

- Once you know the zoning for your subject property, refer to the applicable building form standards (e.g., the Urban House building form in a U-SU-C zone) to confirm whether a Block Sensitive Setback is required.
- If a Block Sensitive Setback is required, review the rules in DZC, Section 13.1.5.3.B, to confirm that your property actually qualifies for application of the Block Sensitive Setback. For example, a Block Sensitive Setback may not apply if there are less than 3 lots containing residential structures on the same side of the block as your property.

Step #2. Determine the Block Sensitive Setback Reference Lots

- For interior zone lots (see Figure 1), identify the two closest zone lots to the subject property that:
 - Contain a primary residential structure; and
 - Face the same Primary Street Zone Lot Line as the subject property.
- The reference lots for a corner property will be the two closest abutting zone lots that: (i) contain a primary residential structure; and (ii) face the same Primary Street Zone Lot Line as the subject corner property.
- Applicants may request an administrative adjustment in cases where the majority of reference lots have structures with less than/greater than the minimum required setback required by the building form/zone district, where two reference zone lots cannot be identified, or where the entire block face should be considered. See DZC, Section 13.1.5.3.C.

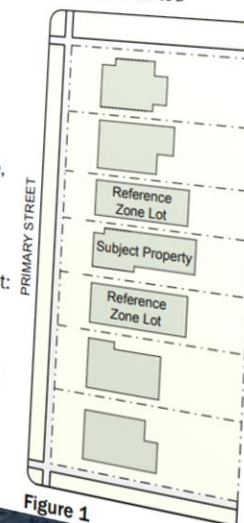


Figure 1



Review Criteria

6.7.3.D.5

“Granting the variance will not substantially impair the intent and purpose of the Code and Comprehensive Plan; and”

Comprehensive Plan

Housing Principles and Policies

1.3. Develop initiatives that preserve current attainable housing stocks and ownership options that will minimize displacement of residents living in communities threatened by redevelopment or changes in ownership.

1.4. Encourage development of attainable housing within and adjacent to Growth Management Areas. Support the expansion of opportunities for attainable housing in other locations where there is adequate or planned public infrastructure.

\$450,000-\$550,000
Neighborhood



Review Criteria

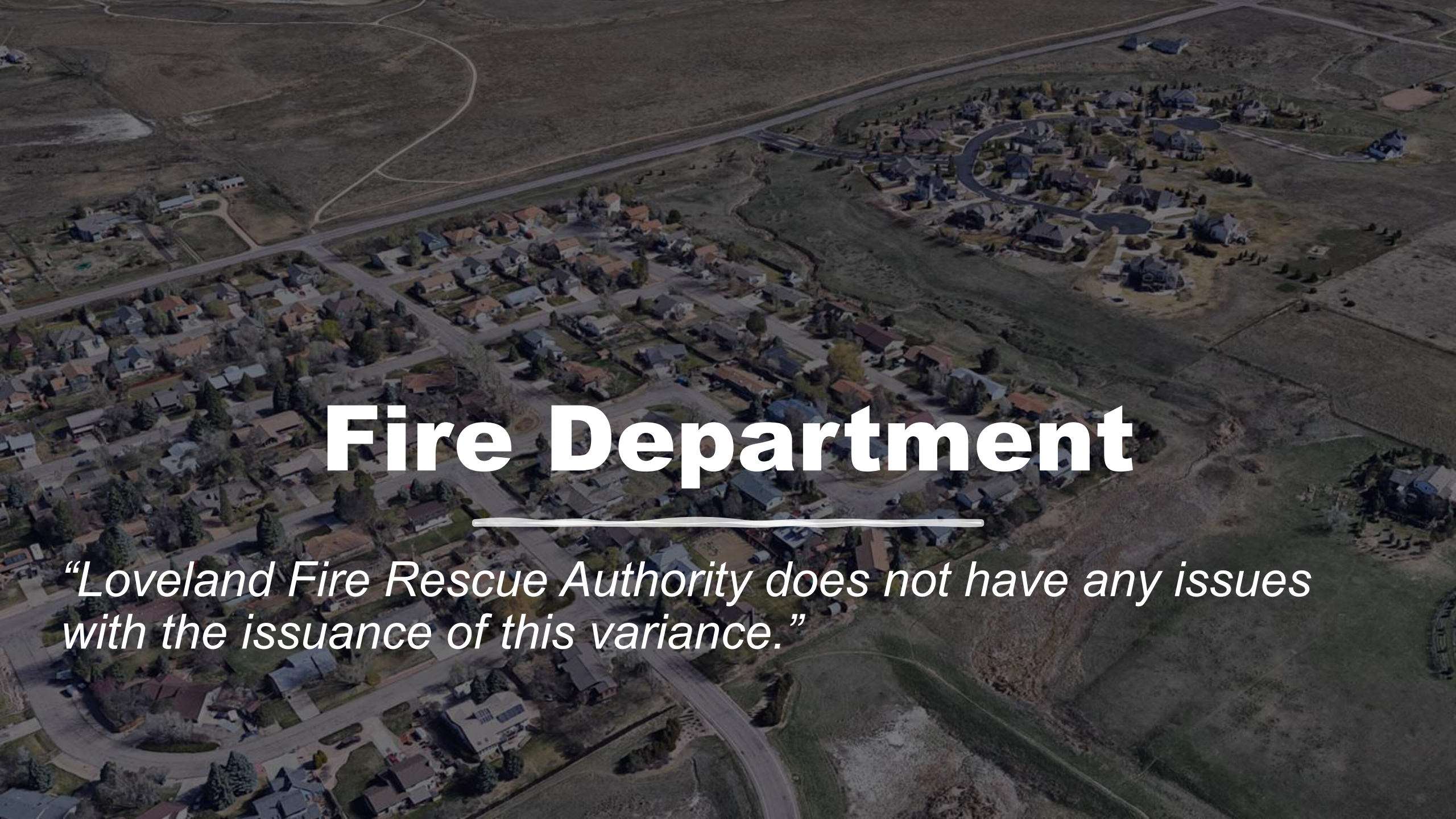
6.7.3.D.6

“The recommendations of referral agencies have been considered.”

An aerial photograph of a suburban neighborhood. The image shows a grid of streets with houses, trees, and some open fields. The houses are mostly single-story with various roof colors. There are some larger, more complex structures in the upper right. The overall tone is somewhat muted, with a dark overlay.

Engineering Department

“Engineering can support the proposed vacation for the extent of the existing structure’s footprint”



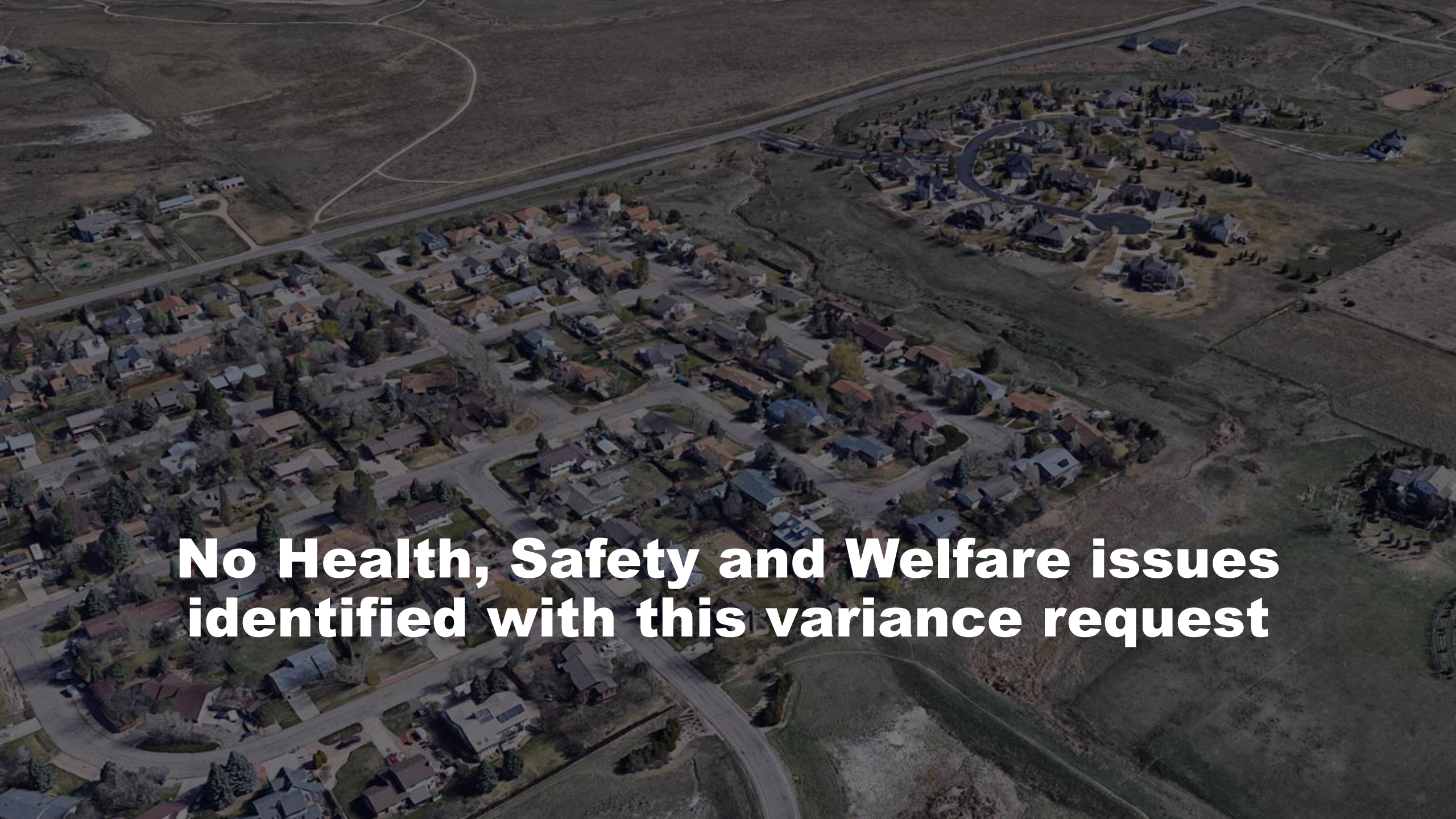
Fire Department

“Loveland Fire Rescue Authority does not have any issues with the issuance of this variance.”



Building Department

“Can support either a variance or relocation”

An aerial photograph of a suburban neighborhood. The image shows a grid of streets with houses, trees, and green spaces. A large road runs diagonally across the upper portion of the image. The overall tone is slightly muted, with a dark overlay at the bottom where the text is placed.

**No Health, Safety and Welfare issues
identified with this variance request**