

**CITY OF FORT COLLINS
TYPE 1 ADMINISTRATIVE HEARING
FINDINGS AND DECISION**

HEARING DATE: December 5, 2013

PROJECT NAME: 320 E. Mulberry Street Carriage House

CASE NUMBER: PDP #130036

APPLICANT/OWNER: Lyle and Lisa Eaton
320 E. Mulberry St.
Fort Collins, CO 80524

HEARING OFFICER: Kendra L. Carberry

PROJECT DESCRIPTION: This is a request for approval of a Project Development Plan (PDP) to add a carriage house at 320 East Mulberry Street. The site is 14,250 square feet, or approximately 0.72 acres, and located four lots west of Peterson Street. An existing garage in the northeast corner of the site would be finished and converted into a carriage house, totaling approximately 750 square feet and including a second level living space with a kitchen and bathroom, accessed from external stairs.

SUMMARY OF DECISION: Approved

ZONE DISTRICT: Neighborhood Conservation Buffer (N-C-B)

HEARING: The Hearing Officer opened the hearing at approximately 5:00 p.m. on December 5, 2013, in Conference Room A, 281 North College Avenue, Fort Collins, Colorado.

EVIDENCE: During the hearing, the Hearing Officer accepted the following evidence: (1) Planning Department Staff Report; and (2) application, plans, maps and other supporting documents submitted by the applicant (the Land Use Code, the Comprehensive Plan and the formally promulgated policies of the City are all considered part of the record considered by the Hearing Officer).

TESTIMONY: The following persons testified at the hearing:

From the City: Pete Wray

From the Applicant: Lisa Eaton

From the Public: N/A

FINDINGS

1. Evidence presented to the Hearing Officer established the fact that the hearing was properly posted, legal notices mailed and notice published.

2. The PDP complies with the applicable standards contained in Article 3 of the Code.
 - a. The PDP complies with Section 3.2.2(K)(1)(c), Required Off-Street Parking, because the existing garage has two parking spaces and the paved area adjacent to the garage provides room for three additional vehicles.
 - b. The PDP complies with Section 3.5.1, Building and Project Compatibility, because the carriage house will be located in an existing garage that was constructed in 2000 and is compatible with the existing house on the property and the established architectural character of the surrounding area.
3. The PDP complies with the applicable standards contained in Article 4 of the Code for the N-C-B zone district.
 - a. The PDP complies with Section 4.9(B)(2)(a)(1), Permitted Uses, because the carriage house is a single-family dwelling, which is a permitted use in the N-C-B zone district, subject to administrative review.
 - b. The PDP complies with Section 4.9(D)(1), Density, because the lot size is 14,250 square feet, more than the 5,000 square foot minimum for single-family dwellings.
 - c. The PDP complies with Section 4.9(D)(2), Land Use Standards – Residential, because: the carriage house is 727 square feet; the carriage house is located in the rear portion of the existing lot; the carriage house complies with the applicable setback; there is at least a 10' separation between dwellings; and the building footprint for the carriage house is 543 square feet.
 - d. The PDP complies with Section 4.9(D)(5), Floor Area Ratio, because the size of the rear lot is 7,125 square feet, which allows 2,351 square feet at a 0.33 FAR, and the carriage house is only 727 square feet.
 - e. The PDP complies with Section 4.9(D)(6)(c), Minimum Rear Yard Setback, because the building was constructed prior to the adoption of this standard.
 - f. The PDP complies with Section 4.9(D)(6)(d), Minimum Side Yard Width, because the building was constructed prior to the adoption of this standard.
 - g. The PDP complies with Section 4.9(D)(6)(e), Maximum Building Height, because the building was constructed prior to the adoption of this standard.
 - h. The PDP complies with Section 4.9(E)(1), Building Design, because: the carriage house is at right angles to the lot; the primary entrance is located along the front wall of the carriage house; the carriage house is located at least 10' behind the principal building; the second floor does not overhang the lower front or side of the carriage house; there is no front porch; and the roof pitch is between 2:12 and 12:12.
 - i. The PDP complies with Section 4.9(E)(2)(a), Building Height, because the building was constructed prior to the adoption of this standard.

j. The PDP complies with Section 4.9(E)(2)(b), Eave Height, because the building was constructed prior to the adoption of this standard.

k. The PDP complies with Section 4.9(E)(3)(c), Carriage Houses – Additional Review Criteria, because the PDP includes a designated yard area of 140 square feet, and the entry access stairs face the existing principal building.

DECISION

Based on the foregoing findings, the Hearing Officer hereby enters the following rulings:

1. The PDP is approved as submitted.

DATED this 17th day of December, 2013.



Kendra L. Carberry
Hearing Officer



ITEM NO: PDP#130036

MEETING DATE: December 5, 2013

STAFF: Wray

— HEARING OFFICER

STAFF REPORT

PROJECT: 320 E. Mulberry St. - Carriage House Project Development Plan, PDP #130036.

APPLICANT / OWNER: Lyle & Lisa Eaton
320 E. Mulberry St.
Fort Collins, CO 80524

PROJECT DESCRIPTION:

This is a request for approval of a Project Development Plan (P.D.P.) to add a carriage house located at 320 East Mulberry Street (Parcel # 97123-32-011). The project site is a total of 14,250 square feet, or approximately 0.72 acres, and is located four lots west of Peterson Street.

An existing garage with a gable roof located at the northeast corner of the site would be finished and converted into a carriage house, totaling approximately 750 square feet and including a second level living space with a kitchen and bathroom that are accessed from external stairs. The site is located in the Neighborhood Conservation, Buffer (N-C-B) Zone District. Carriage houses, considered a single-family use are subject to Administrative (Type 1) review in the N-C-B Zone District, as referenced in Section 4.9(B)(2)(a)(1).

RECOMMENDATION: Approval of 320 E. Mulberry St. - Carriage House Project Development Plan, PDP #130036

EXECUTIVE SUMMARY:

The approval of 320 E. Mulberry St. - Carriage House Project Development Plan complies with the applicable requirements of the City of Fort Collins Land Use Code (LUC), more specifically:

- The P.D.P. complies with process located in Division 2.2 – Common Development Review Procedures for Development Applications of Article 2 – Administration.
- The P.D.P. complies with relevant standards located in Article 3 – General Development Standards.

- The P.D.P. complies with relevant standards located in Division 4.9, N-C-B Neighborhood Conservation, Buffer District of Article 4 – Districts.

COMMENTS:

1. **Background:**

The subject property was included in 1873 as part of the original Old Town Plat.

The surrounding zoning and land uses are as follows:

N:	N-C-M;	Existing Single-Family Residential
S:	N-C-B;	Existing Single-Family Residential
E:	N-C-B/N-C-M;	Existing Single-Family Residential
W:	N-C-B;	Existing Single-Family Residential

2. **Compliance with Applicable Article 4, Neighborhood Conservation, Buffer District N-C-B Standards:**

The project complies with all applicable Article 4 standards as follows:

A. **Section 4.9(B)(2)(a)(1) - Permitted Uses, residential**

The carriage house is a single-family detached dwelling and is a permitted use in the N-C-B zone, subject to Administrative Review and Public Hearing.

B. **Section 4.9(D)(1) – Density/Intensity of Development**

The project's lot size is 14,250 square feet and is in compliance with Section 4.9(D)(1) which requires that each lot be at least 5,000 square feet for single-family dwellings.

C. **Section 4.9(D)(2) – Residential**

This section requires that any new single-family dwelling proposed to be located behind a street-fronting principal building contain a maximum of one thousand (1,000) square feet of floor area, and the proposed carriage house is in conformance with this standard with 727 square feet total. The calculation of this floor area includes all floor space within the first floor plus the floor area of the second story having a ceiling height of at least seven and one-half (7½) feet.

A new single-family dwelling may be located in any area of the rear portion of the existing lot, provided that it complies with the setback requirements of the District, and there is at least a ten-foot separation between dwellings. The proposed carriage house is positioned on the lot in compliance with the separation requirement in that the existing garage is approximately 82 feet from the main house.

This section also requires that the building footprint for such single-family dwelling shall not exceed 600 square feet. The proposed footprint is 543 square feet, in compliance with this standard.

D. Section 4.9(D)(5) – Floor Area Ratio (FAR)

Lots are subject to a maximum FAR of 0.33 of on the rear 50% of the lot. The project is in compliance with this standard with a rear lot size of 7,125 square feet, which allows 2,351 square feet at 0.33 FAR. The carriage house proposed is 727 square feet, which is below the maximum 2,351 square feet permitted.

E. Section 4.9(D)(6)(c)(d) – Dimensional Standards, Minimum Rear and Side Yard Setbacks

This standard requires that the lot have a minimum rear yard setback of five feet. The existing garage and proposed carriage house is located off the alley at the zero lot-line setback.

The minimum side yard setback shall be five feet for all interior side yards. The existing garage and proposed carriage house is setback two feet off the side property boundary.

A request for modification of these standards was considered by the applicant and reviewed by staff. The Director has agreed to waive the request for modification to these standards, in accordance with provisions in Section 2.8.2 (C) given the facts and circumstances of the specific application, including the existing garage was approved and built in 2000 prior to adoption of the applicable standards.

F. Section 4.9(D)(6)(e) – Dimensional Standards, Maximum Building Height

This standard limits the maximum building height for carriage houses to 1 ½ stories. To meet the 1 ½ story requirement, the roof line of the second story must be no more than 3 feet above the second story floor level. The existing garage and proposed carriage house is determined to be two-stories in height.

A request for modification of this standard was considered by the applicant and reviewed by staff. The Director has agreed to waive the request for modification to this standard, in accordance with provisions in Section 2.8.2 (C) given the facts and circumstances of the specific application, including the existing garage was approved and built in 2000 prior to adoption of the applicable standards.

G. Section 4.9(E)(1) – Development Standards, Building Design

The project is in compliance with all applicable building design standards of this section, which require that buildings be constructed at right angles to the lot, that the primary entrance be located along the front wall of the building, that an accessory building be located at least 10 feet behind the principal building, that the second floor not overhang the lower front or side of the building, that the front porch proposed is limited to one story, and that the roof pitch is between 2:12 and 12:12.

H. Section 4.9(E)(2)(a)(b) – Development Standards, Building/Eave Height

The maximum height of a detached dwelling unit at the rear of the lot is twenty-four feet. The existing garage and proposed carriage house building height is approximately 16 feet and in compliance with this standard.

The exterior eave height of an eave along a side lot line shall not exceed thirteen feet from grade for a dwelling unit located at the rear of the lot. The existing garage and proposed carriage house includes eaves on all four sides at a height of approximately sixteen feet.

A request for modification of this standard was considered by the applicant and reviewed by staff. The Director has agreed to waive the request for modification to this standard, in accordance with provisions in Section 2.8.2 (C) given the facts and circumstances of the specific application, including the existing garage was approved and built in 2000 prior to adoption of the applicable standards.

I. Section 4.9 (E) (3)(c)(1)(2) Carriage Houses – Additional Review Criteria

The site plan shall provide a separate yard area containing at least one hundred twenty square feet. The proposed site plan shows a designated yard area of one hundred forty square feet in size.

Entry access stairs shall face the existing principal building or alley. The proposed carriage house entry stairs face the existing principal building.

3. **Compliance with Article Three – General Development Standards:**

The following General Development Standards are applicable to the 320 E. Mulberry Carriage House P.D.P.

A. Section 3.2.2(K)(1)(c) – Required Off-Street Parking

A minimum of one off-street parking space is required for the detached single-family house at the front of the lot-, and additional parking for the carriage house is based upon the number of bedrooms (one off-street parking space required per bedroom). The applicant has declared that the proposed carriage house will be used as a “studio space” and does -not include a bedroom within the habitable space. The existing garage has two parking spaces and adjacent to the garage is a paved area that could accommodate parking of up to three vehicles off the alley. Therefore, the quantity of proposed off-street parking exceeds that required under this section

B. Section 3.5.1 – Building and Project Compatibility

(1) Architectural Character; (2) Building Size, Height, Bulk, Mass, Scale

This standard requires that new projects be compatible with the established architectural character and context of the general area.

The proposed carriage house is in an existing garage building and aside from the new stair access on south façade of the garage; no other exterior improvements are included. This garage approved and built in 2000 is compatible with the existing house and architectural character of the surrounding area.

4. Neighborhood Meeting

The Land Use Code does not require a neighborhood meeting for Administrative (Type I) P.D.P.’s, and the applicant chose not to conduct a formal meeting.

5. Findings of Fact/Conclusion

In evaluating the request for the 320 E. Mulberry St. - Carriage House Project Development Plan, PDP #130036, staff makes the following findings of fact:

- A. The P.D.P. complies with process located in Division 2.2 – Common Development Review Procedures for Development Applications of Article 2 – Administration.
- B. The P.D.P. complies with relevant standards located in Article 3 – General Development Standards.

C. The P.D.P. complies with relevant standards located in Division 4.9, N-C-B Neighborhood Conservation, Buffer District of Article 4 – Districts.

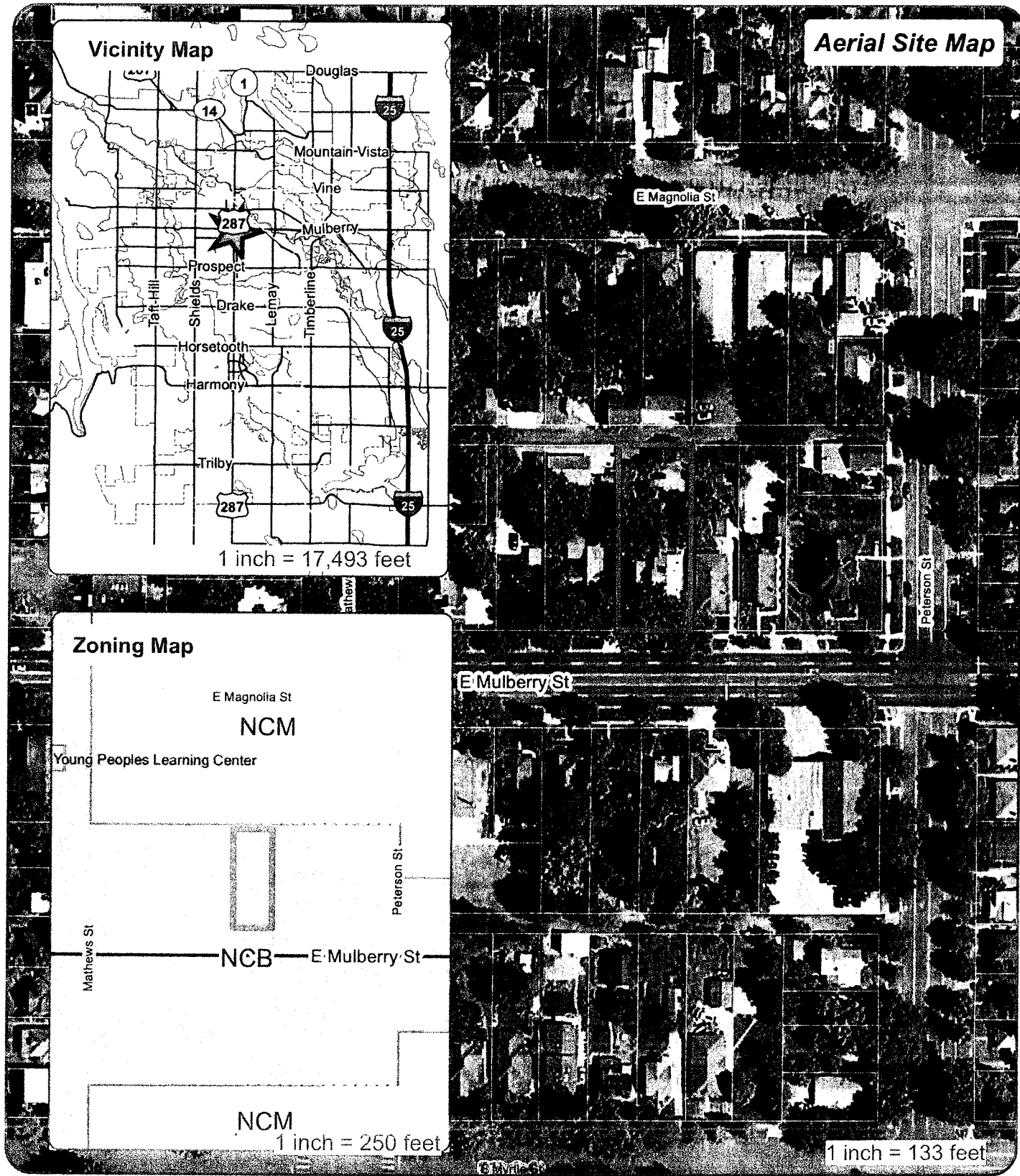
RECOMMENDATION:

Staff recommends approval of the 320 E. Mulberry St. - Carriage House Project Development Plan, PDP #130036.

ATTACHMENTS:

1. Site, Landscape & Utility Plan
2. Building Floor Plan, Elevations & Lighting Plan

320 E Mulberry St
Carriage House



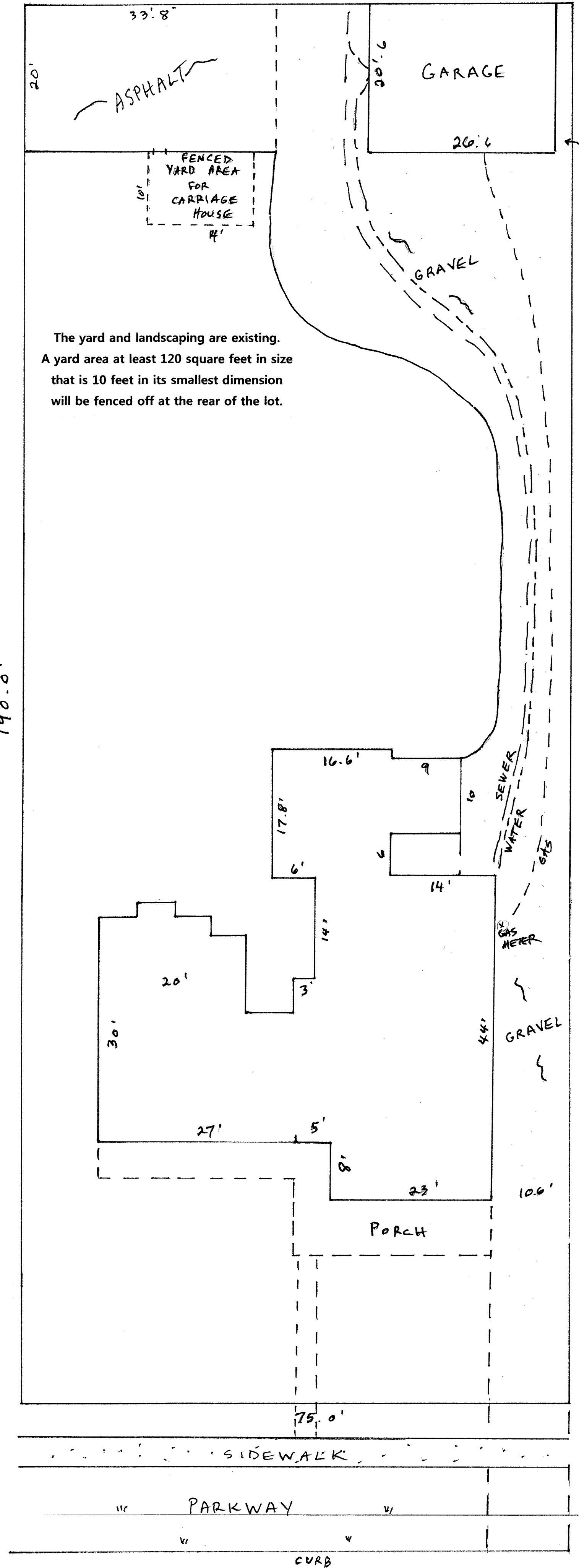
VICINITY MAP

EXISTING ZONE NCB

Planning Approval:

BY THE DIRECTOR OF COMMUNITY DEVELOPMENT AND NEIGHBORHOOD SERVICES OF THE CITY OF FORT COLLINS, COLORADO THIS _____ DAY OF _____ A.D., 20____.

DIRECTOR OF COMMUNITY DEVELOPMENT AND NEIGHBORHOOD SERVICES



320 E. Mulberry Street Carriage House

East 75 feet of Lot 8, Block 144, City of Fort Collins, County of Larimer, State of Colorado

Statement of Planning Objectives

The carriage house garage at 320 East Mulberry Street is existing at the rear of the lot. The current owners are finishing off the unfinished attic into a habitable 500 square feet of studio space (no bedroom) with approximately 500 square feet of garage space below. This is a single family residence zoned NCB used as a primary residence by the new owners. The lot is 14,250 feet and there is no Historic Preservation value due to the extent of previous alterations. The current unfinished attic space of the garage was permitted with the City of Fort Collins in 2000. The main house and garage, circa 1898, and the surrounding neighborhood support the design and use of the carriage house as a dwelling unit. Construction will begin as soon as owners secure the building permit and will be complete as soon as possible thereafter. Any damaged curb, gutter and sidewalk existing prior to construction, as well as streets, sidewalks, curbs and gutters, destroyed, damaged or removed due to construction of this project, shall be replaced or restored to City of Fort Collins standards at the Developer's expense prior to the acceptance of completed improvements and/or prior to the issuance of the first Certificate of Occupancy.

North▲

Owner's Certification of Approval:

THE UNDERSIGNED DOES/DO HEREBY CERTIFY THAT I/WE ARE THE LAWFUL OWNERS OF REAL PROPERTY DESCRIBED ON THIS SITE PLAN AND DO HEREBY CERTIFY THAT I/WE ACCEPT THE CONDITIONS AND RESTRICTIONS SET FORTH ON SAID SITE PLAN.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS THE _____ DAY OF _____, 2013.

(Printed Name)

NOTARIAL CERTIFICATE

STATE OF COLORADO)

COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY (PRINTED NAME) THIS _____ DAY OF _____, 2013.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

(SEAL)

SITE, LANDSCAPE & UTILITY PLAN 1" = 10'0"

320 E. Mulberry Street Carriage House

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11-6-13

Lighting Plan

There will be an exterior light above the entrance to the dwelling unit with a 60W bulb and two motion detector floodlights at the SW corner of the structure.

Lindstrom

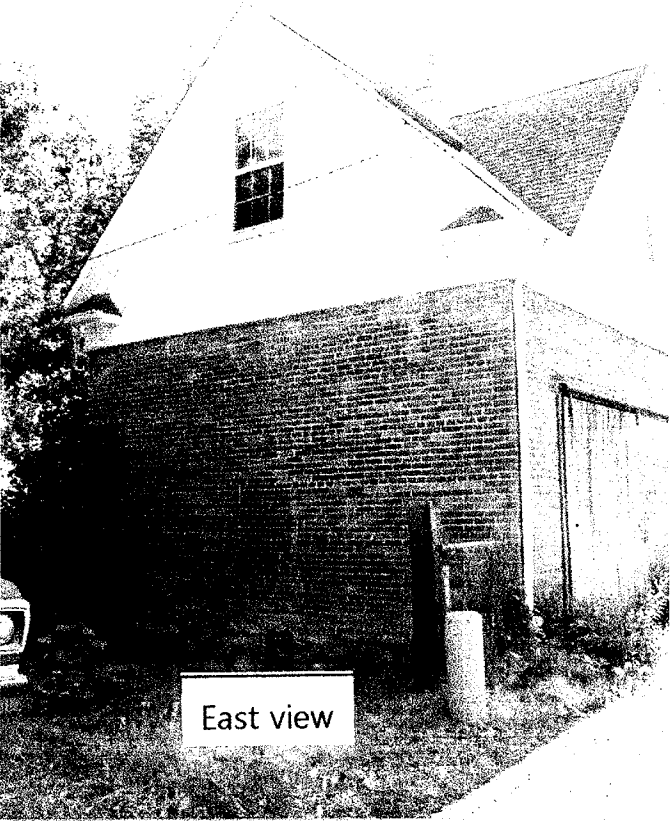
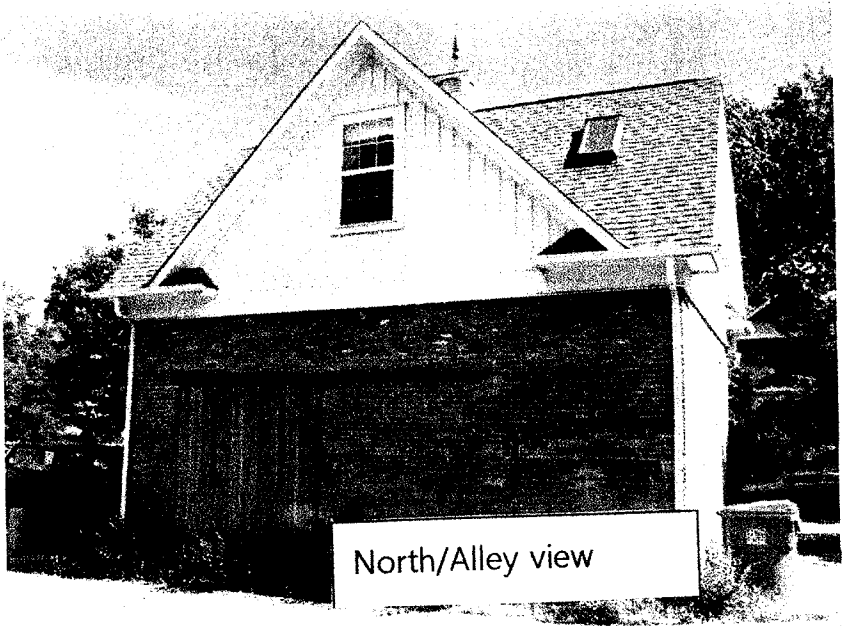
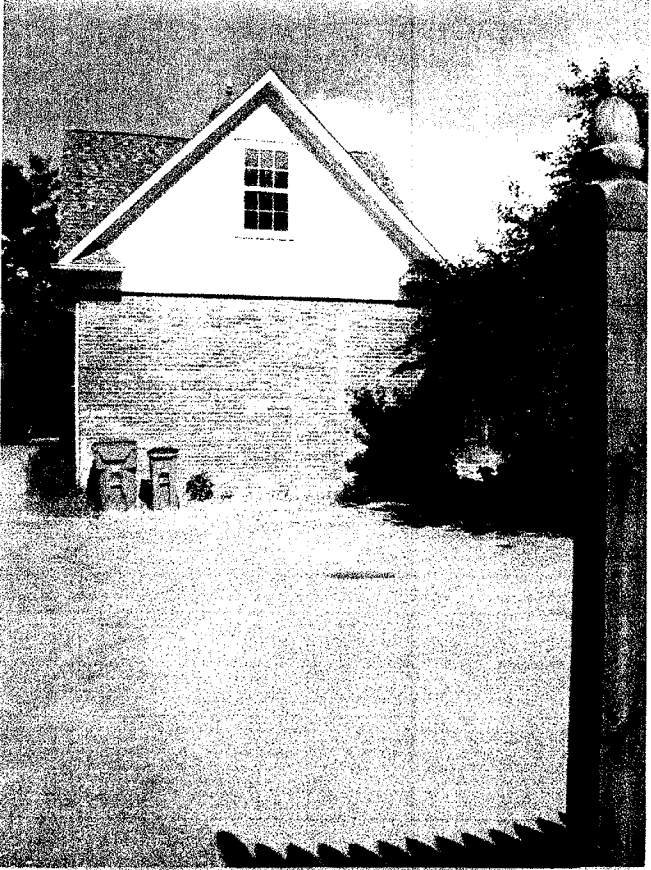
Cast Aluminum construction

West view
Shows parking
We will have a structural engineer create a plan for an entrance door

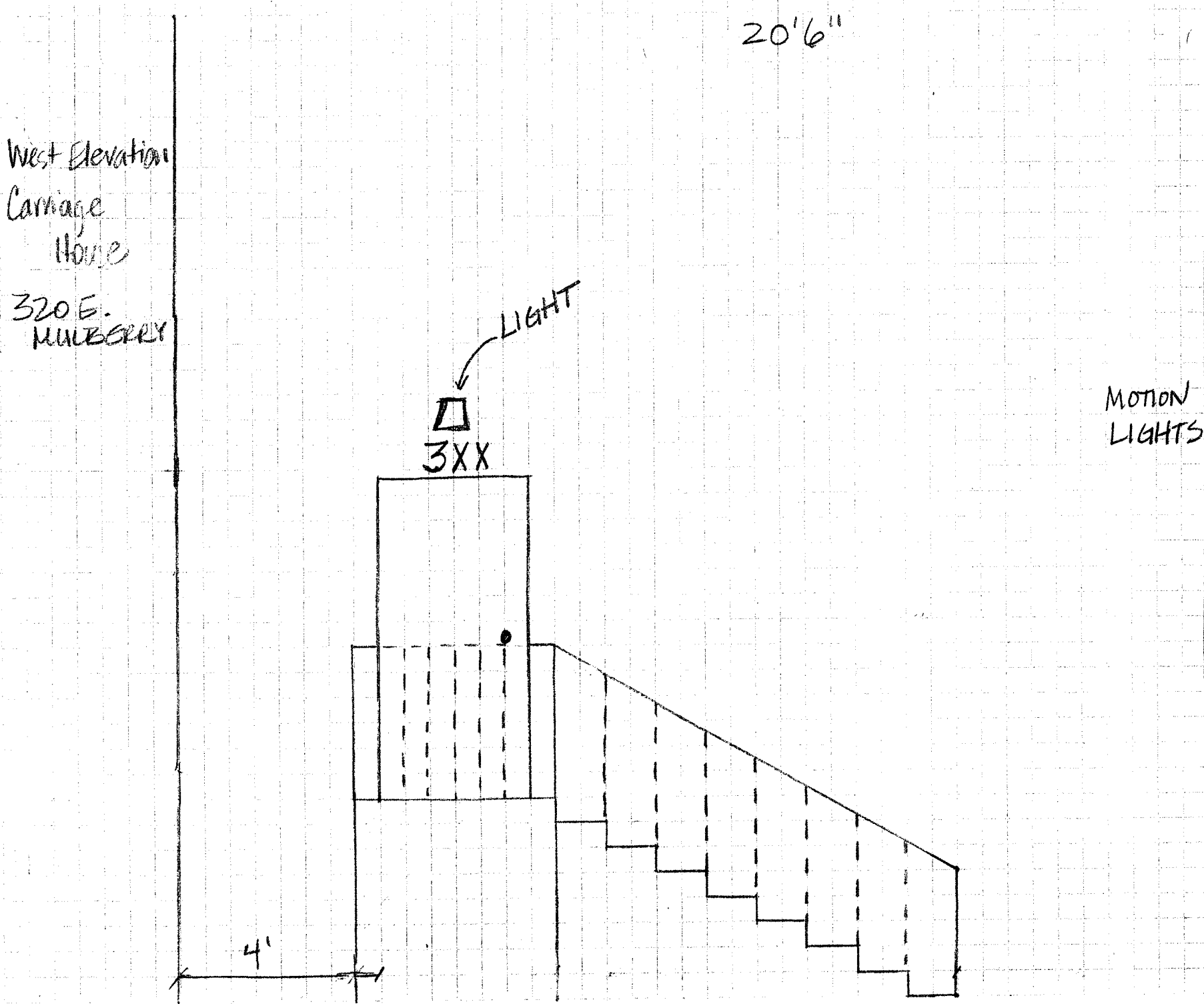
INCAND. ITEM	INCAND. BULB	W	H	OVRL. H	L	WING (SPAN)	EXT.	HCWO	NOTES
A 49402 RZ : (1) 100W (M)	9	14	---	---	---	---	8	2.5	② ③ ④ ⑤ (23-30W CFL)
B 49403 RZ : (1) 100W (M)	6.75	14.5	53	9	62	---	---	---	② ③ ④ ⑤ (23-30W CFL) Additional chain 4927 AGZ, Additional chain 299
C 49401 RZ : (1) 60W (M)	7	11	---	---	---	6.75	2.5	---	② ③ ④ ⑤ (9-13W CFL)
D 49400 RZ : (1) 60W (M)	5.75	9	---	---	---	6.5	2.5	---	② ③ ④ ⑤ (9-13W CFL)
E 49404 RZ : (1) 100W (M)	6.75	16.5	---	9	---	---	---	---	② ③ ④ ⑤ (23-30W CFL)

Measurements shown in inches.

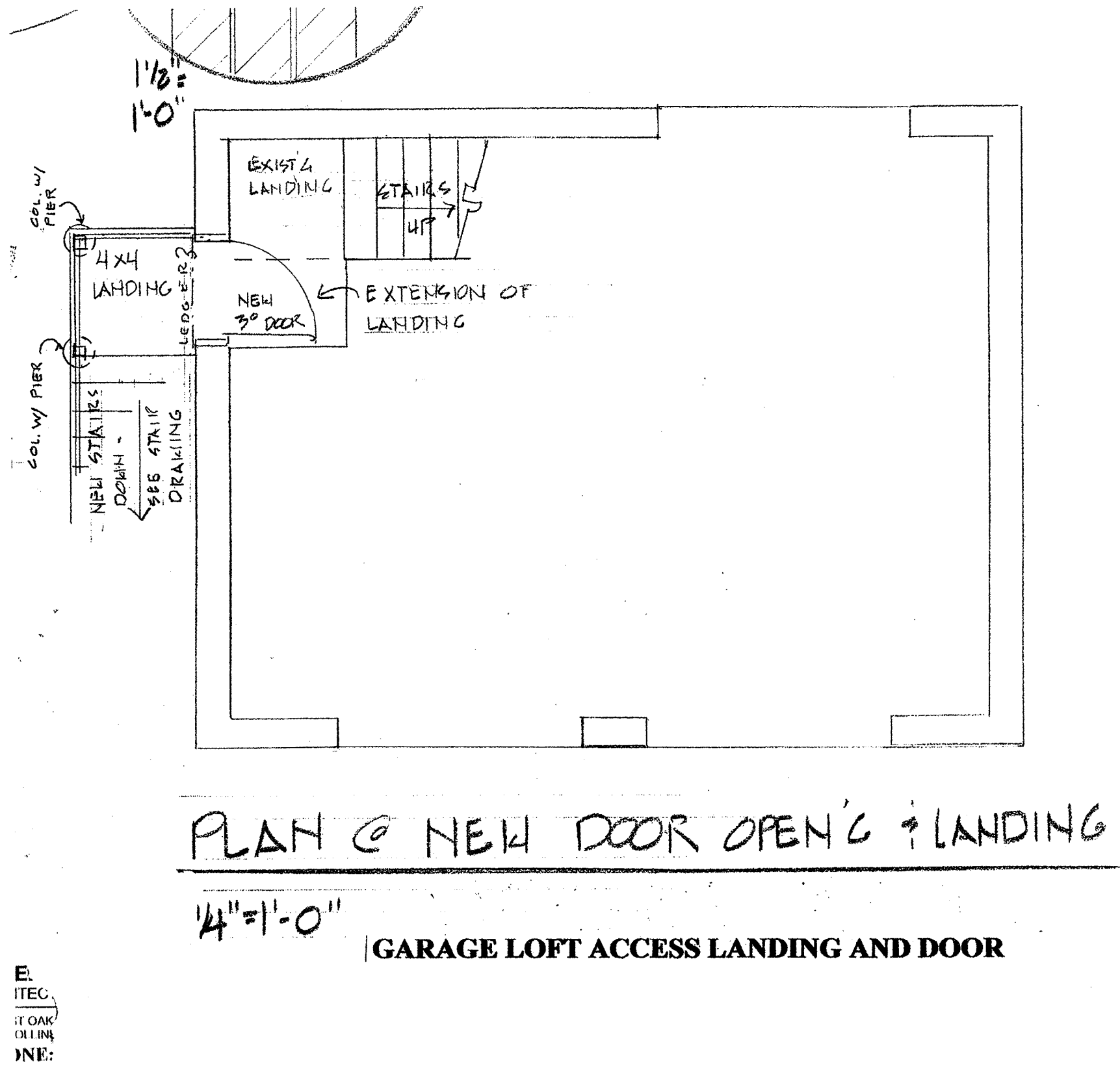
660 | KICHLER®



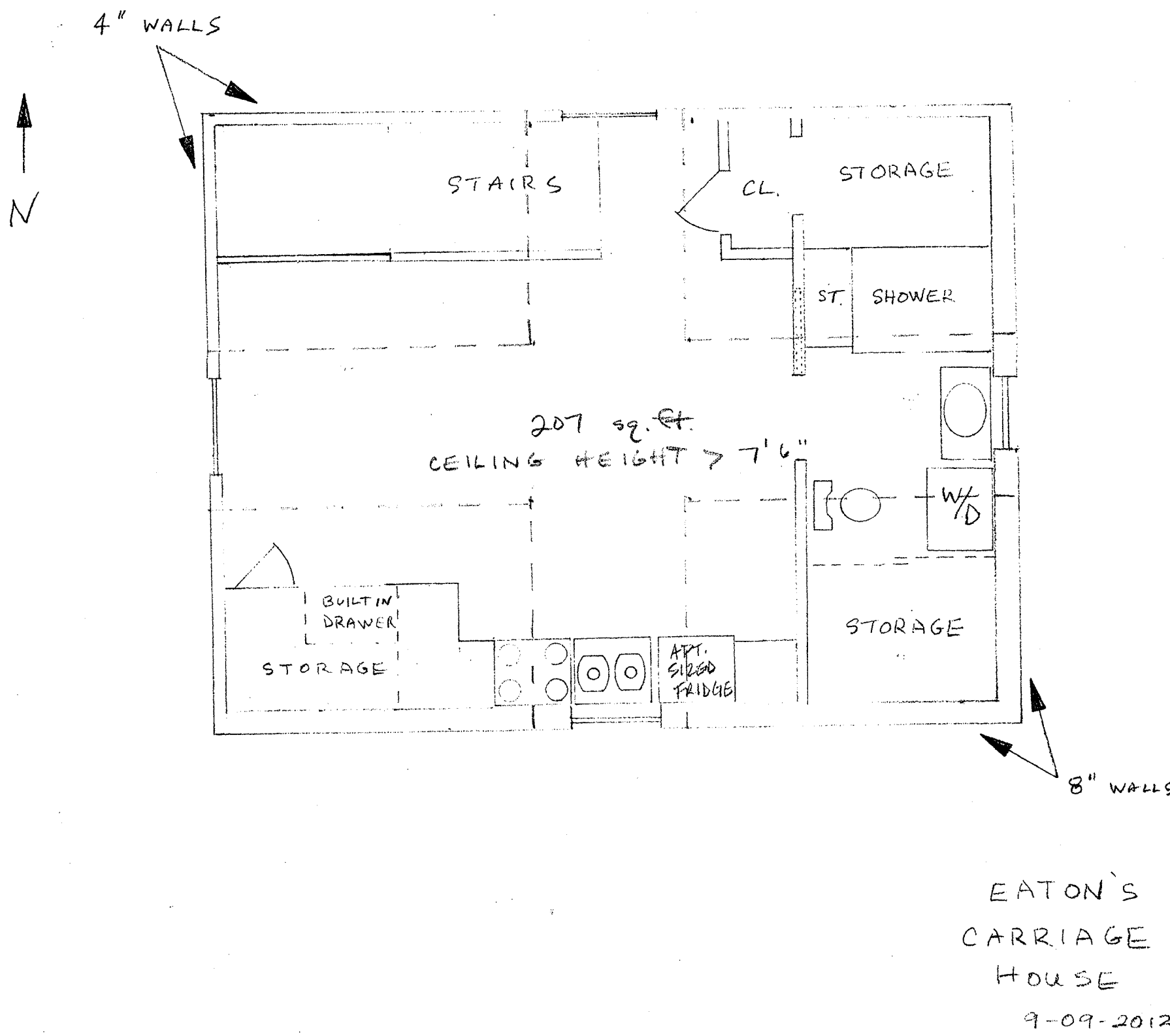
Entrance West Elevation



Lower Level Garage



Upper Level Attic Floorplan



Administrative Type I Hearing

December 5, 2013

320 E. Mulberry Street – Carriage House
PDP #130036

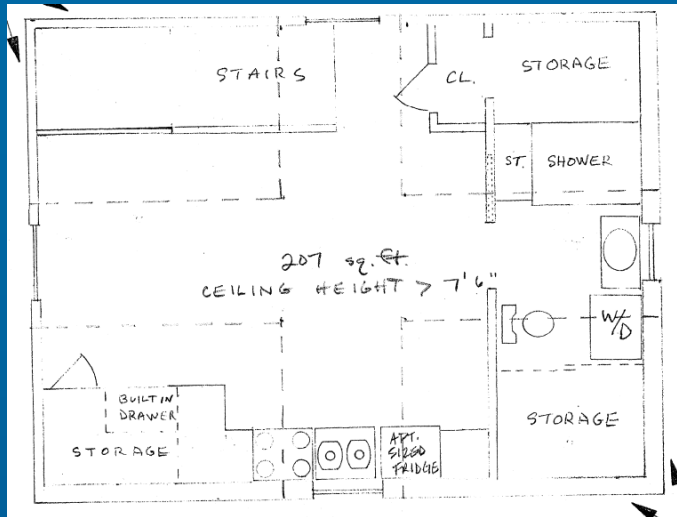


o State University

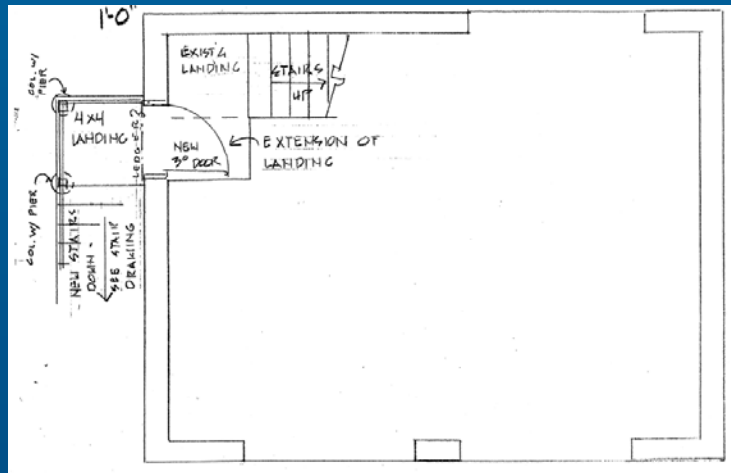
Project Plan View



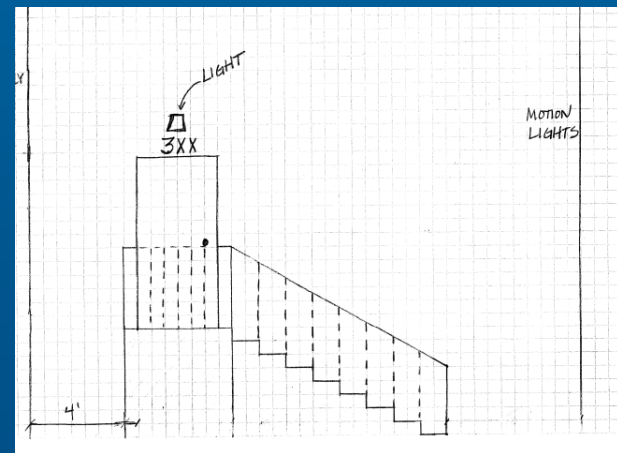




**Garage – Upper Level
(Attic Floor plan)**



Garage - Lower Level



Entrance Stairs - Lower Level

