



Development Review Center
281 North College Avenue
PO Box 580
Fort Collins, CO 80522-0580
970-221-6689
fcgov.com/DevelopmentReview

December 15, 2023

Taylor Meyer, Architect
419 Canyon Ave, Suite 200
Fort Collins, CO 80521

RE: Variance request for 65 Circle Drive, ZBA2300028 – CDNS Director’s Decision

Dear Mr. Meyer:

On November 15, 2023 the City of Fort Collins Development Review Division received and processed a request for a variance for the property addressed 65 Circle Drive. This variance request is subject to the Community Development and Neighborhood Services (CDNS) Director’s review and decision. A basic description of the requested variance is to exceed the maximum allowable floor area on the rear half of the lot by 82 square feet. This request has been processed in accordance with Section 2.10 – Variances, of the City of Fort Collins Land Use Code pursuant to the applicable standards in the Land Use Code.

The CDNS Director hereby makes the following findings of fact:

1. The request is not detrimental to the public good.
2. The storage room is one story.
3. The storage room is setback an additional 5 from the minimum side-yard setback.
4. There is a privacy fence along the south property line.

Therefore, the variance request will not diverge from the standard but in a nominal, inconsequential way, when considered in the context of the neighborhood, and will continue to advance the purpose of the Land Use Code contained in Section 1.2.2.

Based on these findings of fact, the CDNS Director of the City of Fort Collins makes the following decision:

DECISION: Approved DATE: 12/15/2023

A handwritten signature in blue ink, appearing to read "P. Sizemore", written over a horizontal line.

Paul Sizemore
Director of Community Development & Neighborhood Services

This final decision of the CDNS Director may be appealed to the Land Use Review Commission, in accordance with Article II, Division 2.10.4(L) of the Land Use Code, within 14 calendar days of the date of final decision by the CDNS Director.



PERINO STANLEY C
20 CIRCLE DR
FORT COLLINS, CO 80524-0000
100.803300.549110

NOTICE OF PUBLIC HEARING

December 1, 2023

The purpose of this letter is to inform you of a request for a modification of the City of Fort Collins Land Use Code.

The procedure for a person requesting a modification of the Land Use Code is to make application and appear before the Land Use Review Commission. This Commission has been established to hear cases, where: (1) by reason of exceptional situations or circumstances, the strict application of the regulation would result in peculiar and practical difficulties or exceptional undue hardship upon the owner of such property; (2) the proposal will promote the general purpose of the standard for which the variance is requested equally well or better than would a proposal which complies with the standard for which the variance is requested; or (3) the proposal will not diverge from the standards of the Land Use Code except in nominal, inconsequential way when considered in the context of the neighborhood, provided that the granting of a variance would not result in a substantial detriment to the public good.

As an adjacent property owner, your input would be appropriate in the consideration of this variance request.

Those interested may appear at this meeting, or if unable to attend may submit comments in writing via email to nbeals@fcgov.com.

The Application for the Variance Request for the meeting will be available for viewing at: <http://www.fcgov.com/cityclerk/zoning-appeals.php>. Meeting sites are generally accessible to handicapped persons.

If you are disabled and need assistance to participate, please call (970) 221-6760.

If you have any questions, feel free to contact the following.

Noah Beals
Senior City Planner-Zoning
970-416-2313

NOTICE OF VARIANCE REQUEST

This type of variance request is reviewed and approved by the Community Development and Neighborhood Services Director. There will NOT be a public hearing.

For meeting instructions and agenda:
fcgov.com/cityclerk/boards/land-use-review

APPEAL INFORMATION

Appeal: ZBA230028

Address: 65 Circle Dr.

Owner: Judy Muenchow & Ward Gates

Petitioner: Taylor Meyer, Architect,
VFLA Inc.

Zoning District: N-C-L

Code Section: 4.7(D)(3)

PROPOSAL DESCRIPTION

This is a variance request to exceed maximum allowable floor area on the rear half of the lot by 82 square feet. Proposed addition floor area will increase the floor area for the rear half of the lot to 996 square feet. The maximum allowable rear half floor area for this location is 914 square feet (an increase of 9%). The proposed floor area for the overall lot will be 8% under the maximum allowable floor area for the entire lot.

The City of Fort Collins will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Auxiliary aids and services are available for persons with disabilities. Contact Shar Manno, Manager, Customer Support, smanno@fcgov.com or 970-221-6767 (V/TDD: Dial 711 for Relay Colorado).

Esta es una notificación sobre la reunión de su vecindario o sobre una audiencia pública sobre el desarrollo o proyecto en la propiedad cerca de donde usted es el dueño de propiedad. Si usted desea que esta notificación sea traducida al español sin costo alguno, favor enviar un correo electrónico en español a la siguiente dirección electrónica: translate@fcgov.com.



Application Request for Variance from the Land Use Code

The Zoning Board of Appeals has been granted the authority to approve variances from the requirements of Articles 3 and 4 of the Land Use Code. The Zoning Board of Appeals shall not authorize any use in a zoning district other than those uses which are specifically permitted in the zoning district. The Board may grant variances where it finds that the modification of the standard **would not be detrimental to the public good**. Additionally, the variance request must meet at least one of the following justification reasons:

- (1) by reason of exceptional physical conditions or other extraordinary and exceptional situations unique to the property, including, but not limited to physical conditions such as exceptional narrowness, shallowness, or topography, the strict application of the code requirements would result in unusual and exceptional practical difficulties or undue hardship upon the occupant/applicant of the property, provided that such difficulties or **hardship** are not caused by an act or omission of the occupant/applicant (i.e. not self-imposed);
- (2) the proposal will promote the general purpose of the standard for which the variance is requested **equally well or better than** would a proposal which complies with the standard for which the variance is requested;
- (3) the proposal will not diverge from the Land Use Code standards except in a **nominal, inconsequential way** when considered in the context of the neighborhood.

This application is only for a variance to the Land Use Code. Building Code requirements will be determined and reviewed by the Building Department separately. When a building or sign permit is required for any work for which a variance has been granted, the permit must be obtained within 6 months of the date that the variance was granted.

However, for good cause shown by the applicant, the Zoning Board of Appeals may consider a one-time 6 month extension if reasonable and necessary under the facts and circumstances of the case. An extension request must be submitted before 6 months from the date that the variance was granted has lapsed.

Petitioner or Petitioner's Representative must be present at the meeting

Location: 300 LaPorte Ave, Council Chambers, Fort Collins, CO 80524

Date: Second Thursday of the month **Time:** 8:30 a.m.

| | | | |
|--|--------------------------------|---|---------------------------|
| Variance Address | 65 Circle Drive | Petitioner's Name, if not the Owner | VFLA Inc. - Taylor Meyer |
| City | Fort Collins, CO | Petitioner's Relationship to the Owner is | Architect |
| Zip Code | 80521 | Petitioner's Address | 419 Canyon Ave, Suite 200 |
| Owner's Name | Judy Muenchow & Ward Gates | Petitioner's Phone # | (970) 224-1191 |
| Code Section(s) | 4.7(D)(3) | Petitioner's Email | taylor@vfla.com |
| Zoning District | NCL Zone District | Additional Representative's Name | |
| Justification(s) | 3. Nominal and inconsequential | Representative's Address | |
| Justification(s) | Additional Justification | Representative's Phone # | |
| Justification(s) | Additional Justification | Representative's Email | |
| Reasoning If not enough room, additional written information may be submitted | (Please see attached letter.) | | |

Date 05/03/2023

Signature 



Strength in **design**. Strength in **partnership**. Strength in **community**.

05-03-2023

City of Fort Collins
Zoning Board of Appeals
281 North College Avenue
Fort Collins, CO 80524

RE: Variance Request for 65 Circle Drive

To Whom it May Concern,

On behalf of my clients, Judy Muenchow and Ward Gates, I am requesting a variance to Land Use Code section 4.7(D)(3) regarding the allowable floor area on the rear half of lots.

We are proposing to build a new addition to an existing residence located at 65 Circle Drive. To accommodate our clients' program needs, we sought to design an addition to their home that allows them to live more comfortably as they age in place. A new room between the dining area and garage will be sufficient in size to provide a proper living space with south-facing glass doors for natural light. The room also provides a new enclosed connection between the garage and house not currently present. Also, a new storage room will be added to provide storage space not currently available because there is no basement. The additional floor area of these two spaces will increase the floor area on the rear half of the lot to 996 square feet, which is 9% greater than the allowable floor area (914 square feet) per Land Use Code section 4.7(D)(3).

The proposed increase allowable floor area on the rear half of the lot will not be detrimental to the public good and it will not diverge from the standards except in a nominal and inconsequential way when considered in the context of the neighborhood for the following reasons:

- The proposed addition to the residence is only a 9% increase to the rear half of the lot when compared to the allowable floor area on the rear half of the lot.
- The proposed floor area for the overall lot is 8% under the maximum allowable floor area for the lot.
- A majority of the addition is to be built as infill between the existing house and garage.
- The addition is only one-story tall and contained within all setbacks.

For these reasons we feel the increase in allowable floor area on the rear half of the lot is nominal and inconsequential. Please review the attached plans and elevations.

Thank you for your time in considering our variance request.
Sincerely,

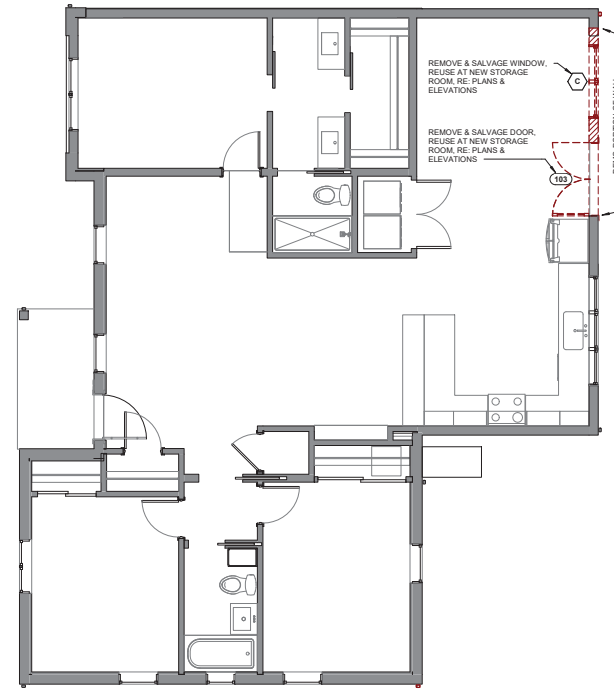
A handwritten signature in blue ink, appearing to read 'Taylor Meyer', with a stylized flourish at the end.

Taylor Meyer – VFLA, Inc.
419 Canyon Ave, Suite 200
Fort Collins, CO 80521
(970) 224-1191



VAUGHT FRYE LARSON ARONSON **architects**

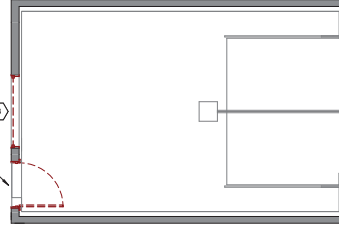
419 Canyon Ave, Suite 200 ■ Fort Collins, CO ■ 970.224.1191
108 East Lincolnway ■ Cheyenne, WY ■ 307.635.5710
www.vfla.com



2 MAIN FLOOR DEMOLITION PLAN
1/4" = 1'-0"

GENERAL DEMOLITION NOTES

1. THE CONTRACTOR SHALL COORDINATE AND IMPLEMENT ALL SAFETY MEASURES REQUESTED AND REQUIRED BY THE LOCAL FIRE MARSHALL, HEALTH DEPARTMENT, BUILDING OFFICIALS AND OTHER GOVERNING AGENCIES.
2. THE CONTRACTOR SHALL COORDINATE THE SALVAGE OF EXISTING MATERIAL AND EQUIPMENT WITH THE OWNER. THE OWNER RETAINS SALVAGE RIGHTS TO MATERIALS AND EQUIPMENT REMOVED FROM THE BUILDING AS PART OF THE PROJECT.
3. THE CONTRACTOR SHALL REPAIR AND/OR REPLACE ALL EQUIPMENT WHICH IS TO REMAIN IF DAMAGED BY CONSTRUCTION ACTIVITIES.
4. REMOVE EXISTING EXTERIOR LIGHTING EXCEPT AS SHOWN TO REMAIN. RE-USE CONDUIT UNLESS OTHERWISE REQUIRED BY NEW CONSTRUCTION.
5. THE CONTRACTOR SHALL MAINTAIN THE SECURITY OF THE BUILDING THROUGHOUT THE ENTIRE CONSTRUCTION SCHEDULE.
6. ON SITE SALE AND/OR DISPOSAL OF AND/OR BURNING OF DEMOLISHED ITEMS IS NOT PERMITTED.
7. REMOVE ADHESIVE FROM FLOOR SURFACES WHERE GLUE APPLIED CARPETING HAS BEEN REMOVED AND WHERE VOT HAS BEEN REMOVED.
8. THE CONTRACTOR SHALL KEEP ALL EXIT WAYS FREE OF STORED MATERIALS AND CONSTRUCTION DEBRIS AT ALL TIMES IN ORDER TO GIVE NEIGHBORS CLEAR ACCESS TO EXIT WAYS.
9. DISRUPTION OF UTILITIES TO THE EXISTING BUILDING SHALL BE COORDINATED WITH THE OWNER AT LEAST 48 HOURS PRIOR TO THE PLANNED DISRUPTION.



| AREA ANALYSIS | |
|---|---|
| MAX. ALLOWABLE FLOOR AREA ON THE ENTIRE LOT: PER SECTION 4.10.10.1(1)(b) = Lot Area x 20% = 1480 SF = 7312 x 0.2 = 1480 SF = 2482 SF | MAX. ALLOWABLE FLOOR AREA ON THE REAR HALF OF THE LOT: PER LUC SECTION 4.10.10.1(1)(b) = Lot Area of the rear half x 25% = 3656 SF x 0.25 = 914 SF |
| FLOOR AREA ON THE ENTIRE LOT: 1480 SF Existing House 352 SF Existing Garage 278 SF New Living Room + 155 SF New Storage Room 2265 SF TOTAL | PER SECTION 2.10.2(A)(3) THE DIRECTOR SHALL BE AUTHORIZED TO GRANT AN INCREASE OF THE ALLOWABLE FLOOR AREA ON THE REAR HALF OF THE LOT OF UP TO 10% IN THE M2 ZONE DISTRICT (PROVIDED THE AMOUNT OF INCREASE DOES NOT EXCEED THE ALLOWABLE FLOOR AREA FOR THE ENTIRE LOT.) 914 SF x 10% = 91 SF TOTAL ALLOWABLE FLOOR AREA ON THE REAR HALF OF THE LOT: 914 SF + 91 SF = 1005 SF |
| PROPOSED FLOOR AREA ON THE REAR HALF OF THE LOT: 245 SF Existing House on the Rear Half of the Lot 352 SF Existing Garage 278 SF New Living Room + 118 SF New Storage Room 993 SF TOTAL | |

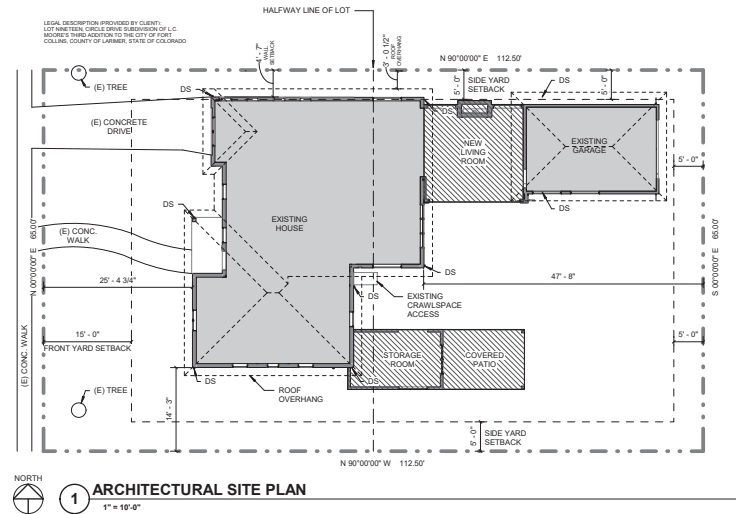
*Lot Area = 7312 SF
(per survey by PLS Corp dated 7/20/2020)

GENERAL NOTES

- DO NOT SCALE DRAWINGS. FIELD VERIFY ALL DIMENSIONS. NOTIFY ARCHITECT IMMEDIATELY WHEN DISCREPANCIES ARE DISCOVERED.
- IT IS THE RESPONSIBILITY OF THE MECHANICAL AND ELECTRICAL SUBCONTRACTORS TO REVIEW ALL OF THE DRAWINGS, INCLUDING ARCHITECTURAL, FOR WORK UNDER THEIR RESPECTIVE CONTRACTS. ROOF PLANS AND REFLECTED CEILING PLANS DESCRIBE MECHANICAL AND ELECTRICAL WORK AS DO OTHER DRAWINGS. NO EXTRAS WILL BE ALLOWED FOR WORK SHOWN IN ANY PART OF THESE DRAWINGS, OR DESCRIBED IN ANY PART OF THE SPECIFICATIONS.
- DIMENSIONS ARE FROM FACE OF STUD, FACE OF MASONRY, OR FACE OF CONCRETE AND TO GRID LINES UNLESS NOTED OTHERWISE. WHERE DIMENSION IS NOTED "CLEAR", DIMENSION IS TO FINISH.
- VERIFY WINDOW LOCATIONS AND SIZING ON EXTERIOR ELEVATIONS AND FLOOR PLANS.
- FRAME DOOR OPENINGS 6" FROM FACE OF PERPENDICULAR WALL ON HINGE SIDE AT ROOMS UNLESS NOTED OTHERWISE.
- EXTEND GYP. BD. ON WALLS TO UNDERSIDE OF GYP. BD. CEILINGS UNLESS NOTED OTHERWISE.
- PROVIDE BLOCKING WHERE REQUIRED.
- PROVIDE R-13 ACOUSTIC BATT INSULATION AT INTERIOR PARTITIONS SURROUNDING ALL BATHROOMS, BEDROOMS, AND LAUNDRY ROOMS.
- TEST FOR RADON AND MITIGATE AS NEEDED.

GENERAL SITE NOTES:

- SOILS ENGINEER SHALL REVIEW SOILS CONDITIONS DURING OPEN HOLE INSPECTION. STRUCTURAL ENGINEER TO VERIFY SOIL CONDITIONS MEET ASSUMED CONDITIONS FOR STRUCTURAL CALCULATIONS.
- VERIFY LOCATIONS OF EXISTING UTILITIES BEFORE PROCEEDING WITH EXCAVATIONS.
- ALL GRADING AND CONC. PAVING SHALL SLOPE AWAY FROM THE BUILDING.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO MAINTAIN ADEQUATE DRAINAGE THROUGHOUT THE SITE DURING THE PROCESS OF EXCAVATION AND GRADING. THE GRADE SHALL BE MAINTAINED IN SUCH CONDITION THAT IT IS WELL DRAINED AT ALL TIMES.
- ADJACENT STREETS AND PARKING AREA SHALL BE KEPT FREE OF MUD & DEBRIS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF MUD AND DEBRIS AT THE END OF EACH DAY.
- THE CONTRACTOR SHALL PROTECT EXISTING IMPROVEMENTS TO REMAIN FROM DAMAGE. DAMAGED ITEMS SHALL BE REPLACED, REPAIRED OR RESTORED BY CONTRACTOR AT NO COST TO THE OWNER. IF, IN THE OPINION OF THE CONTRACTOR, EXISTING IMPROVEMENTS TO REMAIN WILL BE DAMAGED OR REQUIRE REMOVAL TO ACCOMPLISH CONSTRUCTION, CONTRACTOR SHALL INCLUDE THE COST OF REPAIR OR REPLACEMENT IN BASE BID.
- ALL IMPROVEMENTS ON PUBLIC PROPERTY SHALL CONFORM WITH THE LOCAL RULES, REGULATIONS AND ORDINANCES.



1 ARCHITECTURAL SITE PLAN
1" = 10'-0"

PROJECT NUMBER: 2022-82

65 CIRCLE DRIVE ADDITION

65 CIRCLE DR
FORT COLLINS, CO



418 Canyon Ave Suite 200, Fort Collins, CO 80501 | 970.224.1191
100 East Loveland, Olympia, WA 98501 | 360.582.8791
www.VFLA.com

IN ASSOCIATION WITH:

WEEKS & ASSOCIATES, INC.
4739 SOUTH COLLEGE AVENUE, SUITE 201
FORT COLLINS, CO 80525
PHONE: (970) 225-2422

CONSTRUCTION SET 05-03-2023

SHEET ISSUANCES

DESCRIPTION DATE