

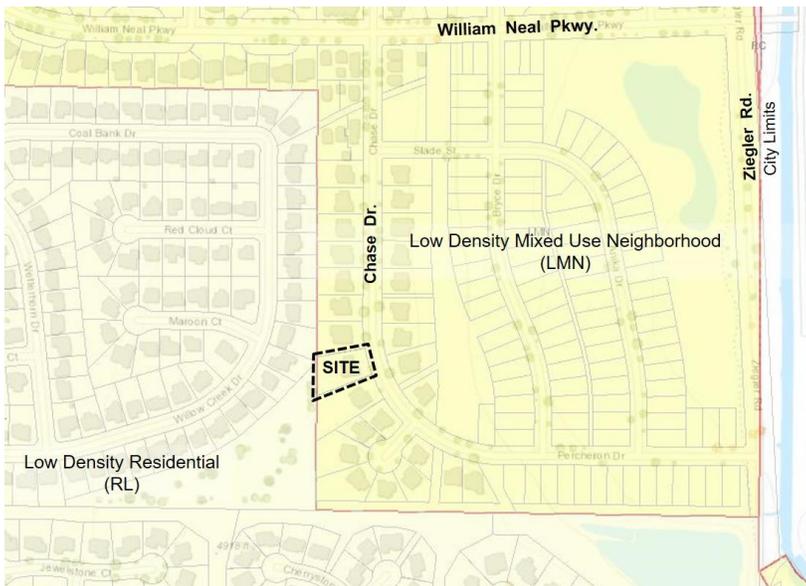
Administrative Hearing: October 27, 2020

## 3227 Chase Drive Extra Occupancy #FDP200014

### Summary of Request

This is a combined Project Development Plan/Final Development Plan to add Extra Occupancy as a permitted use in an existing single-family dwelling for up to six occupants.

### Zoning Map



### Next Steps

If approved by the Hearing Officer, the applicant will be eligible to apply for a building permit and Certificate of Occupancy.

### Site Location

3227 Chase Drive in the Rigden Farm neighborhood. Parcel #8729460339.

### Zoning

Low Density Mixed Use Neighborhood (L-M-N).

### Property Owner

John Gover  
3227 Chase Drive  
Fort Collins, CO 80525

### Applicant/Representative

Same

### Staff

Clark Mapes, City Planner

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### Staff Recommendation

Approval.

## 1. Project Introduction

### A. PROJECT DESCRIPTION

- The proposal is to add Extra Occupancy for up to six occupants as a use of the single-family dwelling at 3227 Chase drive.
- The existing house, driveway and garage accommodate the proposed extra occupancy. The only physical change consists of two wheel stops in the driveway to demarcate the parking arrangement for the required five spaces. This parking arrangement comprises two spaces in the driveway and three in the garage.
- The property provides and exceeds the required floor area for the proposed six occupants. 2,150 sq. ft. are required; 4,488 sq. ft. are provided.
- The property is within the LMN zoning district which permits the use subject to Administrative Review and hearing by a Hearing Officer.

### B. DEVELOPMENT STATUS/BACKGROUND

#### 1. Subject Property

The house was built in 2005 within the 2004 Rigden Farm Filing 6 subdivision.

#### 2. Surrounding Zoning and Land Use

	North	South	East	West
<b>Zoning</b>	Low Density Mixed-Use Neighborhood (L-M-N)	Low Density Mixed-Use Neighborhood (L-M-N)	Low Density Mixed-Use Neighborhood (L-M-N)	Low Density Residential (RL)
<b>Land Use</b>	Single-family houses on the same block face	Single-family houses on the same block face	Single-family houses on the facing block face	Single-family houses in the Stone Ridge PUD subdivision—rear yards and greenbelt abutting

### C. OVERVIEW OF MAIN CONSIDERATIONS

The single main consideration in this case was off-street parking, as is typical of extra occupancy proposals. The applicant resolved the issue in the Conceptual Review stage of review by demonstrating how the required five spaces are accommodated on the property.

### D. CITY PLAN

The City’s comprehensive plan (2019 *City Plan*) was updated with the participation of thousands of community members and embodies the vision and values of the community for the future. It does not specifically address issues of occupancy.

A significant theme in the plan is encouraging more housing options in general. For example, Policy LIV 5.6 on p. 42 states: “EXISTING NEIGHBORHOODS: Expand housing options in existing neighborhoods (where permitted by underlying zoning) by encouraging: » Infill development on vacant and underutilized lots; » Internal ADUs such as basement or upstairs apartments; » Detached ADUs on lots of sufficient size; and » Duplexes, townhomes or other alternatives to detached single-family homes that are compatible with the scale and mass of adjacent properties.”

The plan designates this part of Rigden Farm within the “Suburban Neighborhood” land use designation, which is characterized by single-family homes. The following excerpt from p.98 in *City Plan* gives a sense of the main ideas for land uses in that designation:

**Principal Land Use**

Single-family detached homes

**Supporting Land Use**

Parks and recreational facilities, schools, places of worship, ADUs in some locations (where permitted by underlying zoning) Density Between two and five principal dwelling units per acre

**Key Characteristics/Considerations**

- » Comprised of predominantly single-family detached homes.
- » Neighborhood Centers may serve as focal points within Single-family Neighborhoods (see Neighborhood Mixed-Use District).
- » Amenities and infrastructure encourage walking and biking, but transit service is typically more limited. Typical Types of Transit Limited local bus service with frequencies of approximately every 60 minutes; some locations may also be served by flex services.

**2. Land Use Code Article 2**

**A. PROJECT DEVELOPMENT PLAN PROCEDURAL OVERVIEW**

**1. Conceptual Review – CDR200004**

A conceptual review meeting was held on July 9, 2020.

**2. First Submittal**

The PDP was submitted on July 31, 2020

**3. Neighborhood Meeting**

Pursuant to *LUC Section 2.2.2 – Step 2: Neighborhood Meetings*, a neighborhood meeting is not required for Administrative Hearing (Type 1) projects and no meeting was held.

**4. Notice (Posted, Written and Published)**

Posted Notice: October 8, 2020, Sign #579.

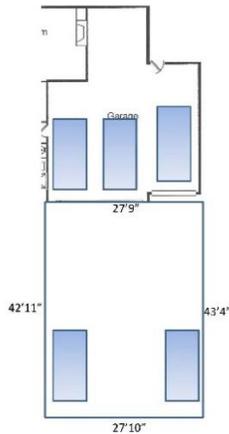
Written Hearing Notice: October 13, 2020, 264 addresses mailed.

Published Hearing Notice: Scheduled for October 20, 2020.

### 3. Land Use Code Article 3

Because the plan involves existing development which comports with the Land Use Code standards, only a few standards specific to Extra Occupancy pertain in this case.

#### A. DIVISION 3.2 – SITE PLANNING AND DESIGN STANDARDS

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>3.2.2 – Access, Circulation and Parking – General Standard</b>	<p>This code Section requires secure, convenient, efficient parking and circulation improvements that add to the attractiveness of the development.</p> <ul style="list-style-type: none"> <li>The existing subdivision development provides a parking and circulation system consistent with the standard.</li> <li>The plan provides specific required parking per the subsections noted below.</li> </ul>	Complies
<b>3.2.2(C)(4) – Bicycle Parking Space Requirements</b>	<p>This plan is required to provide 1 bicycle parking space per bed.</p> <ul style="list-style-type: none"> <li>An outdoor rack provides the required five bicycle parking spaces in addition to bike storage that is available in the tandem bay of the garage.</li> </ul>	Complies
<b>3.2.2(K)(1)(j) – Required Number of Off-Street Spaces</b>	<p>Extra occupancy rental house uses are required to provide 0.75 parking spaces per tenant, rounded up to the nearest whole parking space, plus one (1) additional parking space if the extra occupancy rental house is owner-occupied. Five spaces are required in this case.</p> <ul style="list-style-type: none"> <li>Five spaces are provided. The applicant narrative attached includes a link to a video that demonstrates how two spaces in the driveway and three in the garage can function. The blue rectangles in the diagram below show the arrangement. The two spaces in the driveway will be demarcated with wheel stops to enable the other three vehicles to access the garage.</li> </ul> <div style="text-align: center;">  </div>	Complies

**B. DIVISION 3.8 – SUPPLEMENTARY REGULATIONS**

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>3.8.16 – Occupancy Limits – Increasing the Number of Persons Allowed</b>	<p>Subsection (E)(1) states <i>“with respect to single-family and two-family dwellings, the number of persons allowed under this Section may be increased by the issuance of a certificate of occupancy for use as an extra occupancy rental house in zones allowing such use.”</i></p> <p>The proposed plan is to increase the occupancy of a single-family dwelling. If approved the applicant will submit a building permit application. Upon compliance with any building code and the approval of this application a new certificate of occupancy will be issued.</p>	<p>Complies via the proposed plan in the LMN zone</p>
<b>3.8.28 – Extra Occupancy Rental House Regulations</b>	<p>This Section contains requirements for extra occupancy in single-family detached dwellings. 350 square feet of habitable floor space is required for each tenant plus an additional 400 square feet if the dwelling is owner-occupied.</p> <ul style="list-style-type: none"> <li>• 2,150 sq. ft. are required for the proposed six occupants including the owner; 4,4878 sq. ft. are provided in the existing dwelling.</li> </ul> <p>No more than 25% of parcels on a block face may be approved for extra occupancy rental house use.</p> <ul style="list-style-type: none"> <li>• No other Extra Occupancy Rental Houses are approved on the block face.</li> </ul>	<p>Complies</p>

**4. Land Use Code Article 4**

**A. DIVISION 4.5 – LOW DENSITY MIXED-USE NEIGHBORHOOD DISTRICT (LMN)**

The LMN zone district was created in 1997 as part of the City’s comprehensive plan and has been re-established in subsequent updates.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>4.5(A) - Purpose</b>	<p>This Section states: <b>“Purpose.</b> <i>The Low Density Mixed-Use Neighborhood District is intended to be a setting for a predominance of low density housing combined with complementary and supporting land uses that serve a neighborhood and are developed and operated in harmony with the residential characteristics of a neighborhood. The main purpose of the District is to meet a wide range of needs of everyday living in neighborhoods that include a variety of housing choices, that invite walking to gathering places, services and conveniences, and that are fully integrated into the larger community by the pattern of streets, blocks, and other linkages. A neighborhood center provides a focal point, and attractive walking and biking paths invite residents to enjoy the center as well as the small neighborhood parks. Any new development in this District shall be arranged to form part of an individual neighborhood.”</i></p>	Complies as a part of the overall Rigden Farm development
<b>4.5(B) - Permitted Uses</b>	<p>Extra occupancy rental houses with four or more tenants are permitted with review and a public hearing by an administrative hearing officer.</p>	Complies

## 5. Findings of Fact/Conclusion

In evaluating the request for Chase Drive Extra Occupancy #FDP200014, staff makes the following findings of fact and conclusions:

1. The Project Development Plan/Final Development Plan complies with the applicable procedural and administrative requirements of Article 2 of the Land Use Code.
2. The plan complies with pertinent standards located in Article 3 – General Development Standards.
3. The plan complies with Division 4.5 - Low Density Mixed-Use Neighborhood in Article 4.

## 6. Recommendation

Staff recommends that the Hearing Officer approve Chase Drive Extra Occupancy FDP#200014 based on the Findings of Fact and supporting explanations found in the staff report.

## 7. Attachments

1. Applicant Narrative
2. Driveway Length Photo
3. Site Plan
4. Floor Plan Designations
5. House Photos

# proposal\_description

Monday, June 22, 2020 1:37 PM

## Proposal

My proposal is to designate 3227 Chase Drive as an 6-person extra occupancy rental. I'd like the ability to house 6 "occupants", whether tenants or the owner.

## Property Location, Legal Description, Boundaries

- Address: 3227 Chase Drive ; Fort Collins CO 80525
- Legal Description: Lot 339, Rigden Farm 6th, FTC 20040051421
- Parcel number: 8729460339
- Prop Tax Schedule: 1630370
- Area: .37 acres Dimensions 118ft x 151ft x 82ft x 184 ft)
- Attached Lot Photos:
  - **3227 Chase Dr - Google Maps.pdf ; ariel.pdf ; lot.jpg ; lot\_photo.jpg**

## Requirements ( my understanding)

Having read, as well as I can, the land use code, [https://library.municode.com/co/fort\\_collins/codes/land\\_use?nodeId=ART4DI\\_DIV4\\_SLODEMIENEDIN](https://library.municode.com/co/fort_collins/codes/land_use?nodeId=ART4DI_DIV4_SLODEMIENEDIN) and "Extra occupancy rental house regulations" <https://www.fcgov.com/building/pdf/extraoccupancybinder2.pdf?1508340355>. I understand that, minimally, the follow requirements exist. ( Other requirements may be called out in the conceptual review?)

The square footage and parking requirements are based on number and type of occupant.

1. 5 tenants + owner -or-
  2. 6 tenants
- Min - 350 sq ft habitual space per border + 400 for owner
    - 5 + owner = 2150 sq. ft.
    - 6 borders = 2100 sq. ft.
  - .75 per border + 1 owner
    - 5+owner = 3.75 + 1 = 4.75
    - 6 borders = 4.5
    - Both rounding up to 5.

The square footage and parking requirements are more stringent for #1 above. I'd like explicit approval for "6 occupants", regardless if a tenant or owner, which could change overtime. I believe this requires: > 2150 sq. ft of habitual space and 5 parking spaces.

The "Extra Occupancy Rental House Regulations" pdf linked above has a section "Rental Housing Minimum Requirements", which includes requirements for exterior general, interior general, light, ventilation, occupancy general, plumbing facilities, mechanical facilities, electrical facilities, and fire safety requirements. The property in its current state meets these requirements. This home is only 14 years old, and complies with all codes that existed in 2006 when it was completed.

In summary I do not believe any changes are required to the property.

## Overview of Facilities

The proposed extra occupancy home will be divided into 5 "suites". Each suite will provide a private bedroom, bathroom, office space, on-site storage, and on-site parking. Suite A is designed to be occupied by either a single or a couple. The remaining 4 suites are for single occupants. The following table and attached floorplan sketches describe the five private suites.

### Suite Description Table

Name	Max Occupants	Bedroom	Bathroom	Office	Parking
A	2	2nd level - West	Full bath attached	Bonus Room attached	Left Garage
B	1	2nd level - East	Full bath attached	Large 2nd level loft	Center Garage
C	1	2nd level - SE	3/4 bath basement	Large basement office	Right Garage
D	1	2nd level - NE	Full bath adjacent	Main ( former dining)	North Driveway
E	1	Main Level	3/4 bath main level	Main level ( former parlour area)	South Driveway

### Floor Plan w/ suite designations

The room configurations can be seen in the included "**floorplan\_suitedesignations.pdf**"

## There are also the following shared spaces and resources:

### Community (Shared) Spaces

- Kitchen.
- Main floor family room
- Dining area off kitchen

- Basement Theater
- Basement Recreation Room
- Entire Backyard (.37 acre lot) including patio ( w/bbq and smoker)

#### Other Shared Resources

- Two refrigerator-freezers with designated divisions.
- Pantry and Kitchen Cabinets will be explicitly designated.
- Laundry Room has shared washer/dry, with storage explicitly designated.
- Two water heaters ( 100 gallon total capacity)

#### Habitable Living Space and Parking

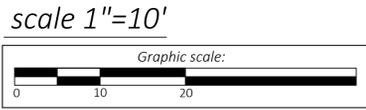
- **Living Space Square Footage - 4487.3 square feet, requirement is 2150 sq. ft.**
  - The square footage information is from the attached "**appraisal\_dimensions.pdf**" ( Note: The appraisal\_dimensions.pdf was completed prior to the basement finish. )
    - Second Floor: 1889.3
    - First Floor: 1387.0
    - Basement: 1387.0 total ( Unfinished Storage = 16ft x 11ft = 176 sq. ft. )
    - **Total Finished ( Livable) Square Footage: 1889.3 + 1387 + 1387 - 176 = 4487.3**
    - Garage: 904
    - Total "building" Sq. Ft.( including garage and unfinished basement space): 5567
  - Basement finish
    - Permit can be seen on citizen portal.
    - Permit B0803092
    - Basement finish w/theatre, office, rec room, 3/4 bath, unfinished storage.
    - <https://accela-aca.fcgov.com/CitizenAccess/Default.aspx>
- **Parking - 5 spaces exist on site ( Requirement is 4.75 rounded to 5)**
  - The current configuration of the home allows for parking 10 vehicles ( 4 garaged and 6 on the driveway)
  - **5 vehicles can park off-street**, with ingress/egress, without using tandem spaces in the garage or on the driveway,
  - Please see "**chase\_parking.pdf**", Driveway dimensions are: 27'9"x43'4"x27'10"x42'11"
  - Videos ( Google Doc Share)
    - "Parking Video 1":off street parking locations
      - <https://drive.google.com/file/d/1Q1dIsh3JBzXDbaMWzZ90JN03x-vlM2M/view?usp=sharing>
    - "**Parking Video 2": ingress and egress demo with 5 vehicles, oversized ( 1/2 ton pickups)**"
      - <https://drive.google.com/file/d/1icYDp6Yi9yldnzmslABvzn1qE70mjl2i/view?usp=sharing>
    - "Parking Video 3": off street parking locations filled spaces.
      - <https://drive.google.com/file/d/1x-20vURtSfYdtWJly5uhn7LagMK-nqlh/view?usp=sharing>
  - Photo
    - parking photo1:
      - **driveway\_length.jpg**
  - Physically designating the parking spaces in the driveway.
    - The west edges of the two driveway spaces will be delineated with an ~6inx1.5in painted line or a decorative stake.
    - The sidewalk marks the east edge being the start

#### No changes

Utility Lines, Site Drainage, Landscaping, Parking Areas, etc all remain as existing.

#### Surrounding existing land and building uses.

The neighborhood is LMN. There are other 4 other extra occupancy units located 3 blocks to the north. 3 on Anneliese Way and 1 on Chase Drive. Besides traditional single family homes there are in the neighborhood various duplexes or triplex, many which were constructed by Habitat for Humanity. Here's a link to the other extra occupancy rental uses in the neighborhood. <https://www.fcgov.com/neighborhoodservices/files/approved-extra-occupancy-housing.pdf?1552071594>



3227 Chase Drive - Extra Occupancy Rental  
 Fort Collins, CO 80525  
 Parcel ID: 87294-60-339  
 Lot 339, Rigden Farm Filing Six, FTC



**Planing Certification**  
 Approved by the Director of Community Development and Neighborhood Service of the city of Fort Collins, Colorado on this \_\_\_\_\_ day of \_\_\_\_\_ A.D.20\_\_.

\_\_\_\_\_  
 Director of Community Development and Neighborhood Services

**Ownership Certification**

By \_\_\_\_\_

State of Colorado )  
 )ss.  
 County of Larimer )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20\_\_\_\_, by \_\_\_\_\_.

Witness my hand and official seal.  
 My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
 Notary Public

LAND USE TABLE	
Existing zoning	LMN-Low Density Mixed Use Neighborhood
Existing Land Use	Single Family Residence
Proposed Land Use	Extra Occupancy Housing for 5 Tenants
Two Story Building	5,567 sq ft
Total Parking Provided	5 spaces
Site Area:	16,117 sq ft
House Footprint	2,317 sq ft
Total Habitable Area	4,487 sq ft

Parking Space #	Stall Description	Dimensions	Notes
1	90° Standard	9x19	Garage
2	90° Standard	9x19	Garage
3	90° Standard	9x19	Garage
4	0° Compact	7.5x19	Driveway
5	0° Compact	7.5x19	Driveway
A	Entry Aisle	13x20	Driveway
B	Circulation	28x23	Driveway
△	Bike Storage		
W	Walkway		
G	Gate		
■	Curb Stop		

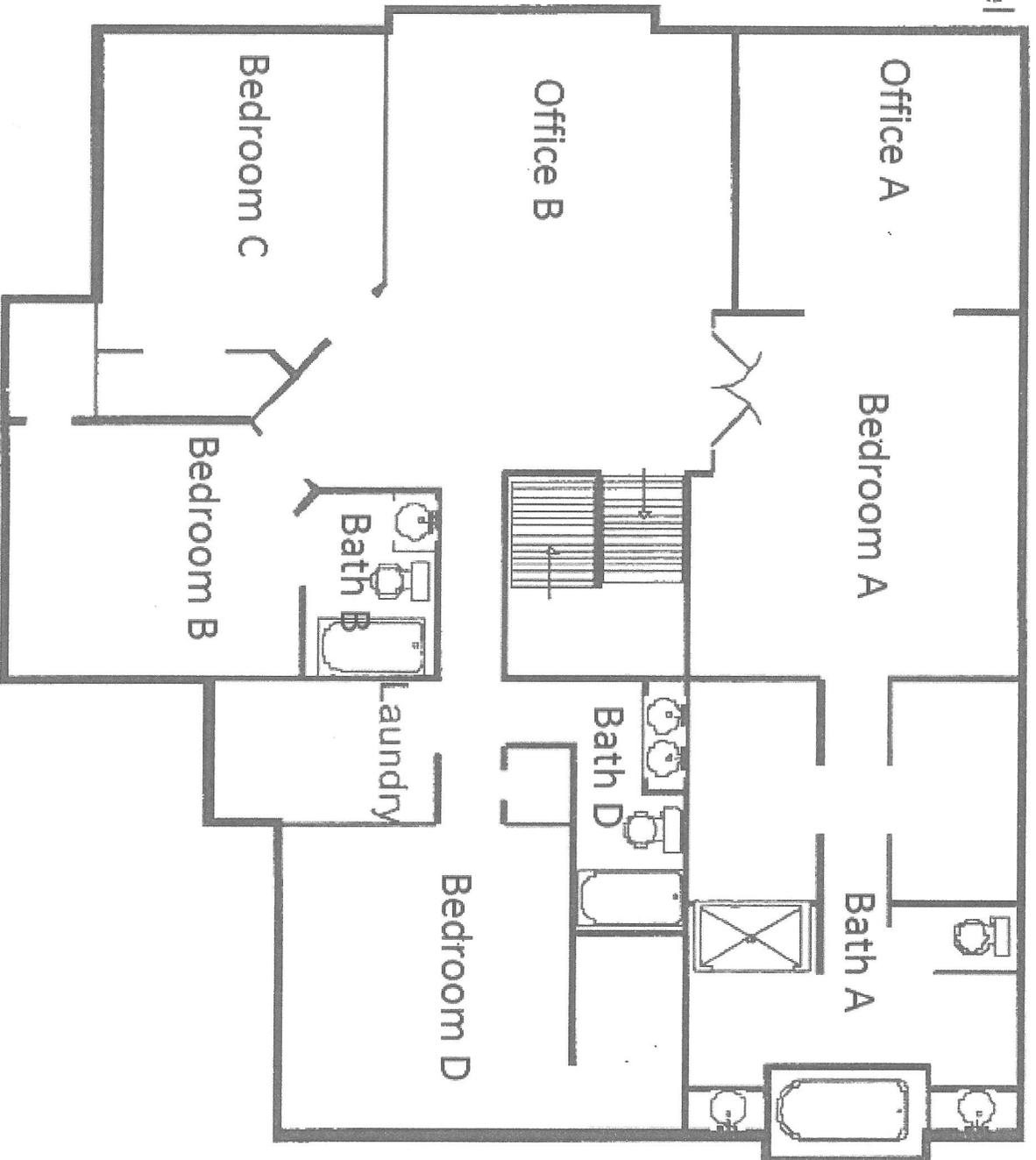
**SITE PLAN NOTES:**

- EXISTING LANDSCAPE AND TREES TO REMAIN
- NO EXTERIOR ALTERATIONS WILL BE MADE TO BUILDINGS
- REFER TO THE SUBDIVISION PLAT AND UTILITY PLANS FOR EXACT LOCATIONS, AREAS AND DIMENSIONS OF ALL EASEMENTS, LOTS, TRACTS, STREETS, WALKS AND OTHER SURVEY INFORMATION
- THE PROJECT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FINAL PLANS, AMENDMENTS TO THE PLANS MUST BE REVIEWED AND APPROVED BY THE CITY PRIOR TO THE IMPLEMENTATION OF ANY CHANGES TO THE PLANS.
- ALL CONSTRUCTION WITH THIS DEVELOPMENT PLAN MUST BE COMPLETED IN ONE PHASE UNLESS A PHASING PLAN IS SHOWN WITH THESE PLANS.
- SIGNAGE AND ADDRESSING ARE NOT PERMITTED WITH THIS PLANNING DOCUMENT AND MUST BE APPROVED BY SEPARATE CITY PERMIT PRIOR TO CONSTRUCTION. SIGNS MUST COMPLY WITH CITY SIGN CODE UNLESS A SPECIFIC ADDRESS IS GRANTED BY THE CITY.
- FIRE HYDRANTS MUST MEET OR EXCEED POUDRE FINE AUTHORITY STANDARDS. ALL BUILDINGS MUST PROVIDE AND APPROVED FIRE EXTINGUISHING SYSTEM.
- ALL BIKE RACKS PROVIDED MUST BE PERMANENTLY ANCHORED.
- THE PROPERTY OWNER FOR EACH RESIDENTIAL LOT IS RESPONSIBLE FOR SNOW REMOVAL ON ALL STREET SIDEWALKS ADJACENT TO EACH RESIDENTIAL LOT.
- PRIVATE CONDITIONS, COVENANTS, AND RESTRICTIONS (CC&R'S) OR ANY OTHER PRIVATE RESTRICTIVE COVENANT IMPOSED ON LANDOWNERS WITHIN THE DEVELOPMENT, MAY NOT BE CREATED OR ENFORCED HAVING THE EFFECT OF PROHIBITING OR LIMITING THE INSTALLATION OF XERISCAPE LANDSCAPING, SOLAR/PHOTO-VOLTAIC COLLECTORS (IF MOUNTED FLUSH UPON ANY ESTABLISHED ROOF LINE), CLOTHES LINES (IF LOCATED IN BACK YARDS), ODOR-CONTROLLED COMPOST BINS, OR WHICH HAVE THE EFFECT OF REQUIRING THAT A PORTION OF ANY INDIVIDUAL LOT BE PLANTED IN TREE GRASS.
- 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.

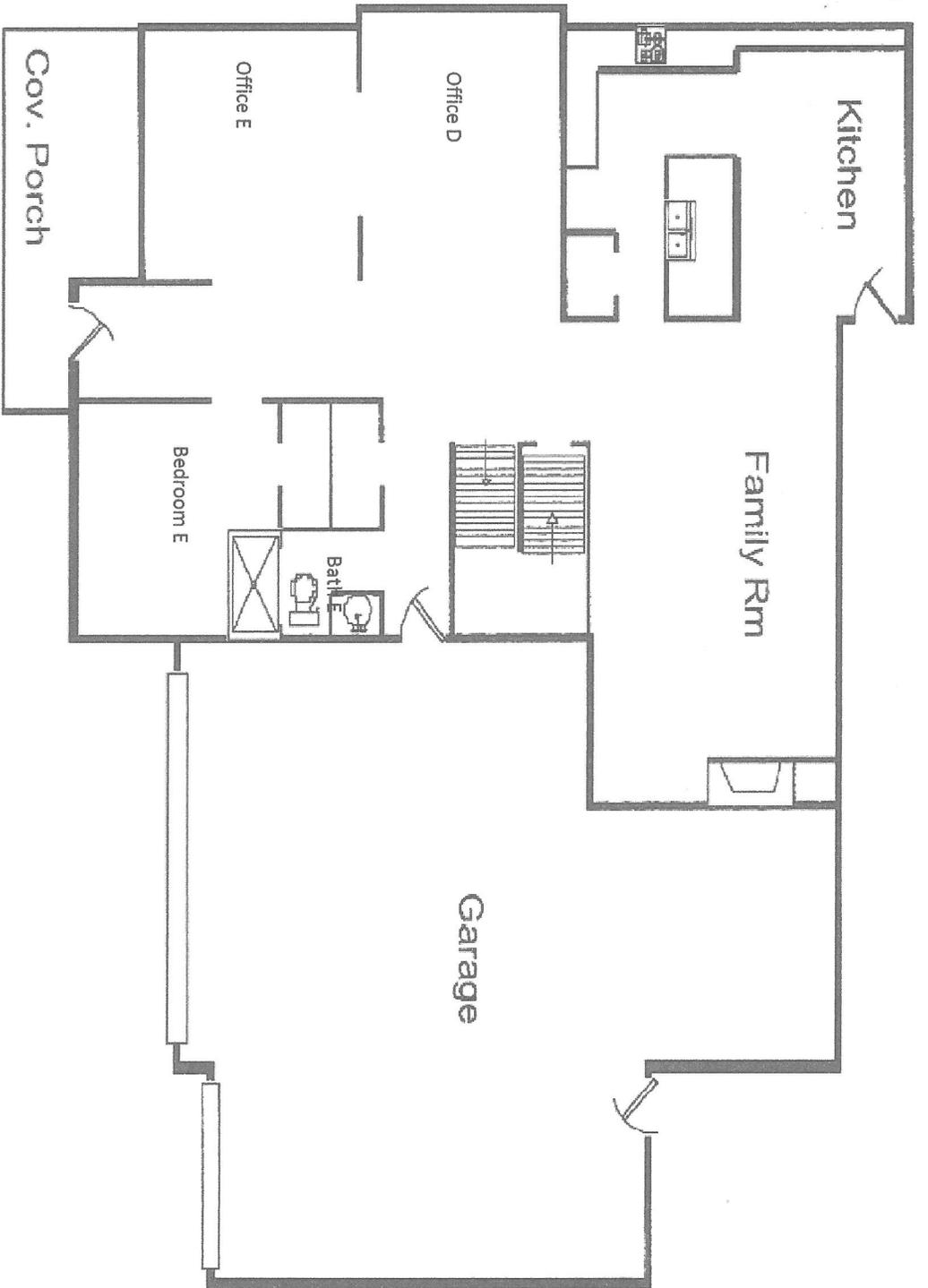


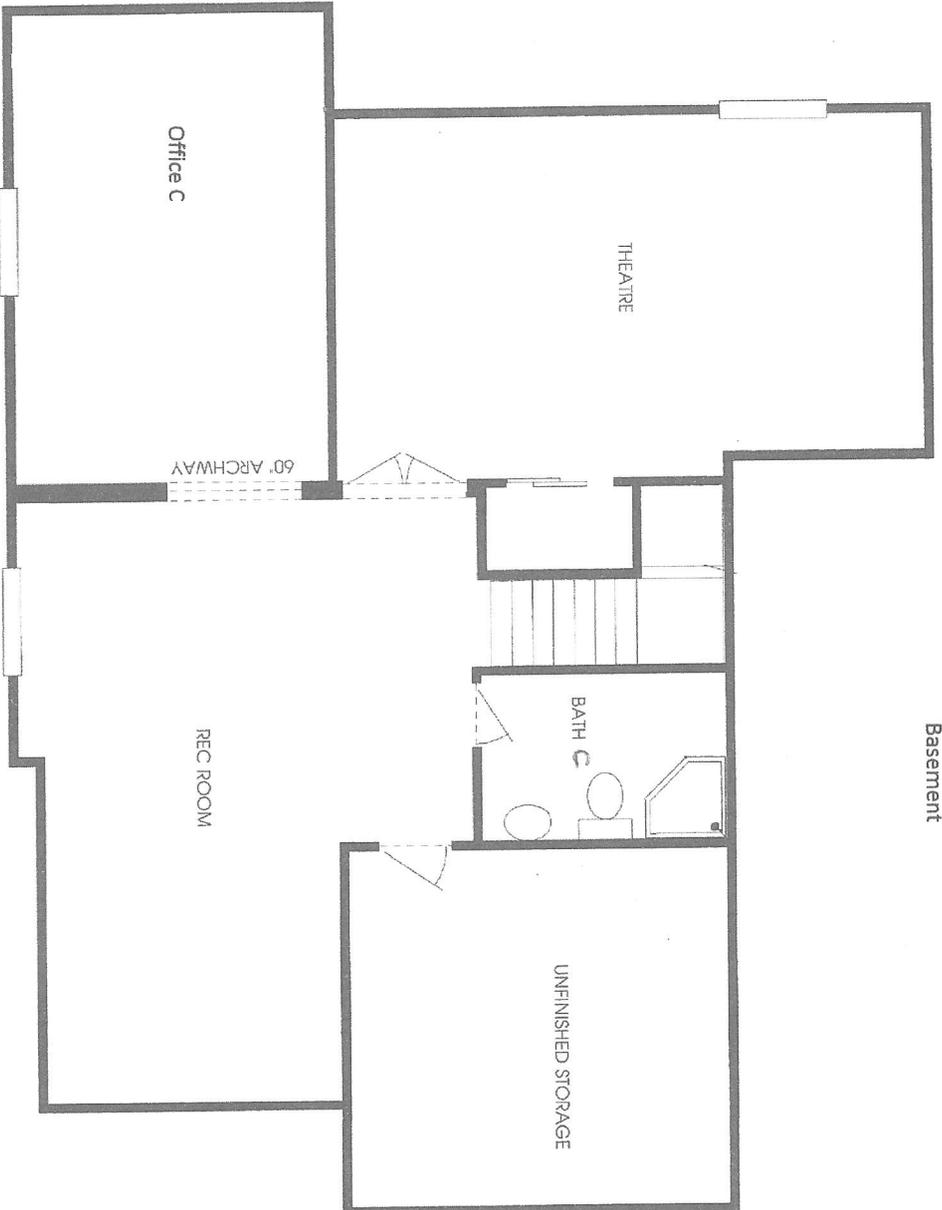


Second Level



First Level





Basement

THEATRE

Office C

60" ARCHWAY

REC ROOM

BATH C

UNFINISHED STORAGE

# 3227\_Chase\_Elevations

Tuesday, July 21, 2020 3:49 PM

East Facing ( Front )



South Facing ( Side )



West Facing (Rear)



North Facing ( Side )

