

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

HEARING DATE: February 7, 2019
PROJECT NAME: 700 Remington – Carriage House
CASE NUMBER: FDP180025
APPLICANT: Robert Benham
OWNER: Robert Benham
HEARING OFFICER: Kendra L. Carberry

PROJECT DESCRIPTION: This is a Final Development Plan ("FDP") to allow a change of use of an existing accessory building at 700 Remington Street, from a commercial use into a carriage house for residential use. No exterior modifications are proposed to either of the existing buildings on the lot.

SUMMARY OF DECISION: Approved
ZONE DISTRICT: Neighborhood Conservation Buffer (NCB)

HEARING: The Hearing Officer opened the hearing at approximately 5:30 p.m. on February 7, 2019, in the Community Room at 281 North College Avenue, Fort Collins, Colorado.

EVIDENCE: During the hearing, the Hearing Officer accepted the following evidence: (1) Planning Department Staff Report; (2) the application, plans, maps and other supporting documents submitted by the applicant; (3) a copy of the public notice. The Land Use Code 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: Kai Kleer
From the Applicant: Robert Benham
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 FDP complies with the applicable General Development Standards contained in Article 3 of the Code.
 - a. The FDP complies with Section 3.2.2(K)(1)(j), Required Off-Street Parking, because the street-fronting home is an approved extra occupancy rental house requiring 0.75 off-street parking spaces per tenant, or 3 off-street parking spaces, and the FDP provides 5 off-street parking spaces between the buildings.
3. The FDP complies with all applicable NCB standards contained in Article 4 of the Code.
 - a. The FDP complies with Section 4.9(E)(3)(a), Carriage House, because the FDP includes 4 parking spaces for the existing extra-occupancy rental and 1 additional space for the carriage house.
 - b. The FDP complies with Section 4.9(E)(6), Access, because the FDP will continue to access off-street parking from the alley.
4. The Modification of Standard (Section 4.9(D)(1), Density) meets the applicable requirements of Section 2.8.2(H)(4) of the Code:
 - a. The Modification of Standard is not detrimental to the public good, because: no exterior building modifications are proposed; the previous use (hair salon) was a more intensive use than the residential use proposed; and the Old Town Neighborhoods Plan encourages carriage houses in this area.
 - b. The Modification of Standard will only diverge from the standard in a nominal and inconsequential way, because the FDP includes a building and lot pattern that is consistent with the pattern of the neighborhood.

DECISION

Based on the foregoing findings, the Hearing Officer hereby approves the FDP and Modification of Standard as submitted.

DATED this 21st day of February, 2019.



Kendra L. Carberry, Hearing Officer