

NOTICE OF PUBLIC HEARING

September 21, 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: ZBA230021
Address: 2814 S Taft Hill Road
Owner: John Hostetler
Petitioner: Amanda Kenyon
Zoning District: L-M-N
Code Section: 3.8.11(C)(1)

PROPOSAL DESCRIPTION

This is a request for a 4-foot 9-inch fence to be located along the front property line. The maximum height for a fence along a front property line is 4 feet.

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 Land Use Review Commission has been granted the authority to approve variances from the requirements of Articles 3 and 4 of the Land Use Code. The Land Use Review Commission shall not authorize any use in a zoning district other than those uses which are specifically permitted in the zoning district. The Commission 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 Land Use Review Commission 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, City Hall Council Chambers

(instructions will be emailed to the applicant the Friday or Monday prior to the hearing)

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

Variance Address	2814 S. Taft Hill	Petitioner's Name, if not the Owner	Amanda Kenyon
City	Fort Collins, CO	Petitioner's Relationship to the Owner is	Representative
Zip Code	80526	Petitioner's Address	1389 Sculptor Dr
Owner's Name	John Hostetler	Petitioner's Phone #	970.581.6884
Code Section(s)	3.8.11	Petitioner's Email	akenyonre@gmail.com
Zoning District	LMN	Additional Representative's Name	
Justification(s)	3. Nominal and inconsequential ▼	Representative's Address	
Justification(s)	2. Equal to or better than ▼	Representative's Phone #	
Justification(s)	Additional Justification	Representative's Email	
Reasoning	WRITTEN STATEMENT EXPLAINING THE REASON FOR THE VARIANCE REQUEST REQUIRED VIA SEPARATE DOCUMENT.		

Date 09/12/2023

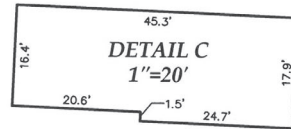
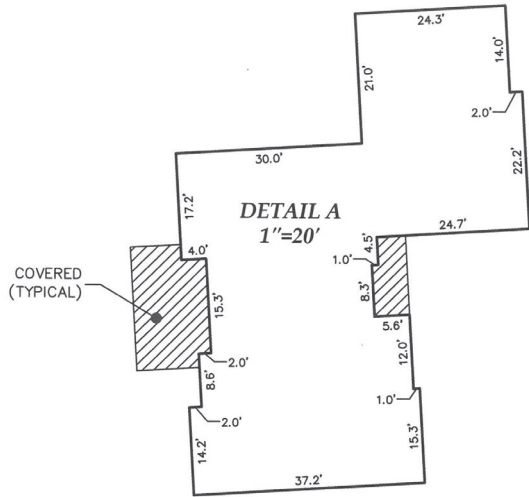
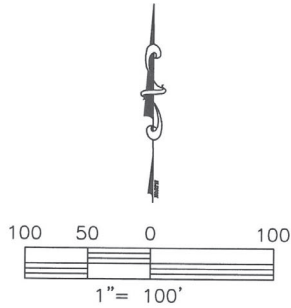
Signature Amanda Kenyon

City of Fort Collins: Zoning
281 N College Ave
Fort Collins, CO 80524
09/12/2023

S. Taft Hill Variance Description

Reasoning: The owner John Hostetler, is requesting a variance to adjust the size of the fence allowed around his property, which encloses the backyard. The fence is within the setback requirements and the height requirements of between 4 and 5 ft. The top of the fence is 4ft 9in from the existing ground grade level, with the actual fence only being 4 ft tall. Attached is the ILC, showing the site drawn to scale. The fence is being installed around Subject A.

IMPROVEMENT LOCATION CERTIFICATE



- A 2814 S. TAFT HILL RD
1 STORY
WOOD SIDING
WITH CRAWLSPACE
(SEE DETAIL A)
- B 89' X 24' WOOD GARAGE
- C WOOD BARN
(SEE DETAIL C)
- D 24' X 36' METAL SHOP
- E 24' X 40' METAL GARAGE
- F 21' X 23' WOOD/METAL GARAGE

■ FOUND #4 REBAR

ADDRESS: 2814 S. TAFT HILL ROAD, FORT COLLINS, CO 80526

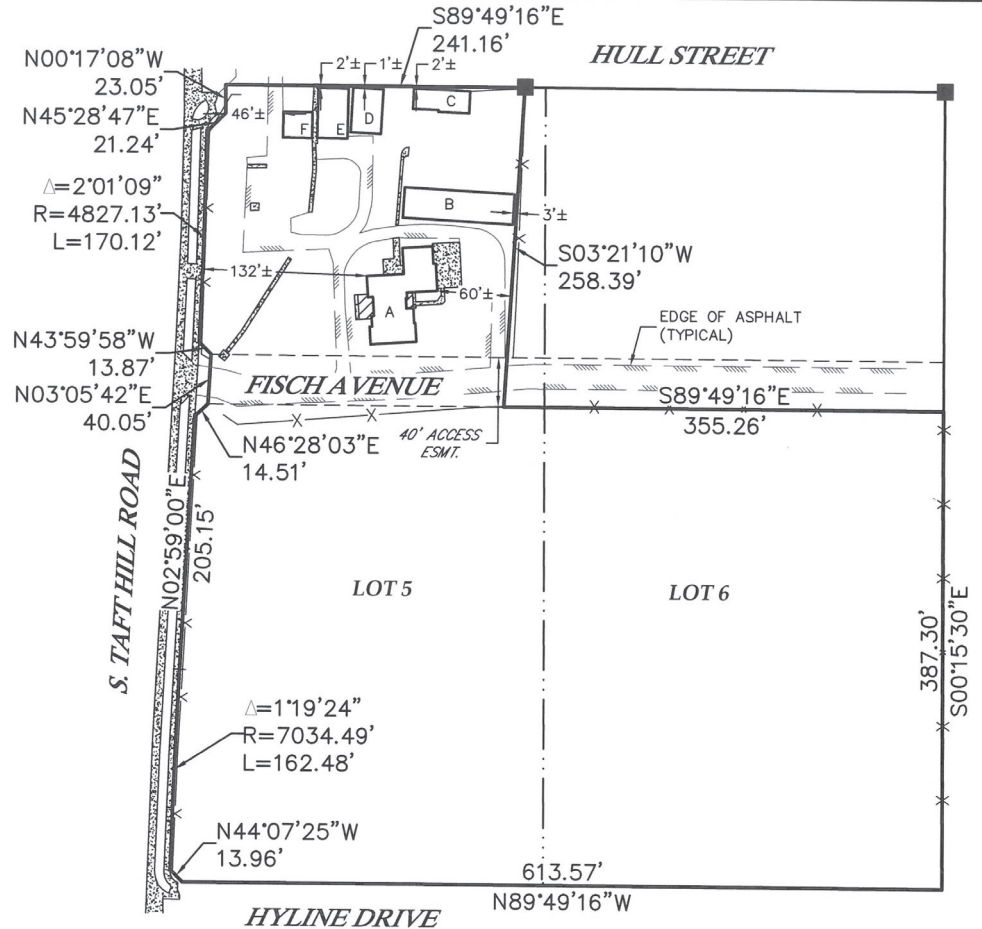
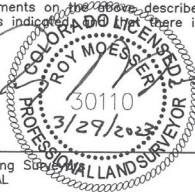
PROPERTY DESCRIPTION (SOURCE: CHICAGO TITLE COMPANY, COMMITMENT NO. 598-CS0605831-152) SEE ATTACHED.

Only those easements that are on the recorded plat of this subdivision are shown hereon.

I hereby certify that this Improvement Location Certificate was prepared for Paulette Haley, that it is not a Land Survey Plat or Improvement Survey Plat, and that it is not to be relied upon for the establishment of fence, building, or other future improvement lines. This certificate is valid only for use by Paulette Haley and describes the parcel's appearance on 02-21-2023.

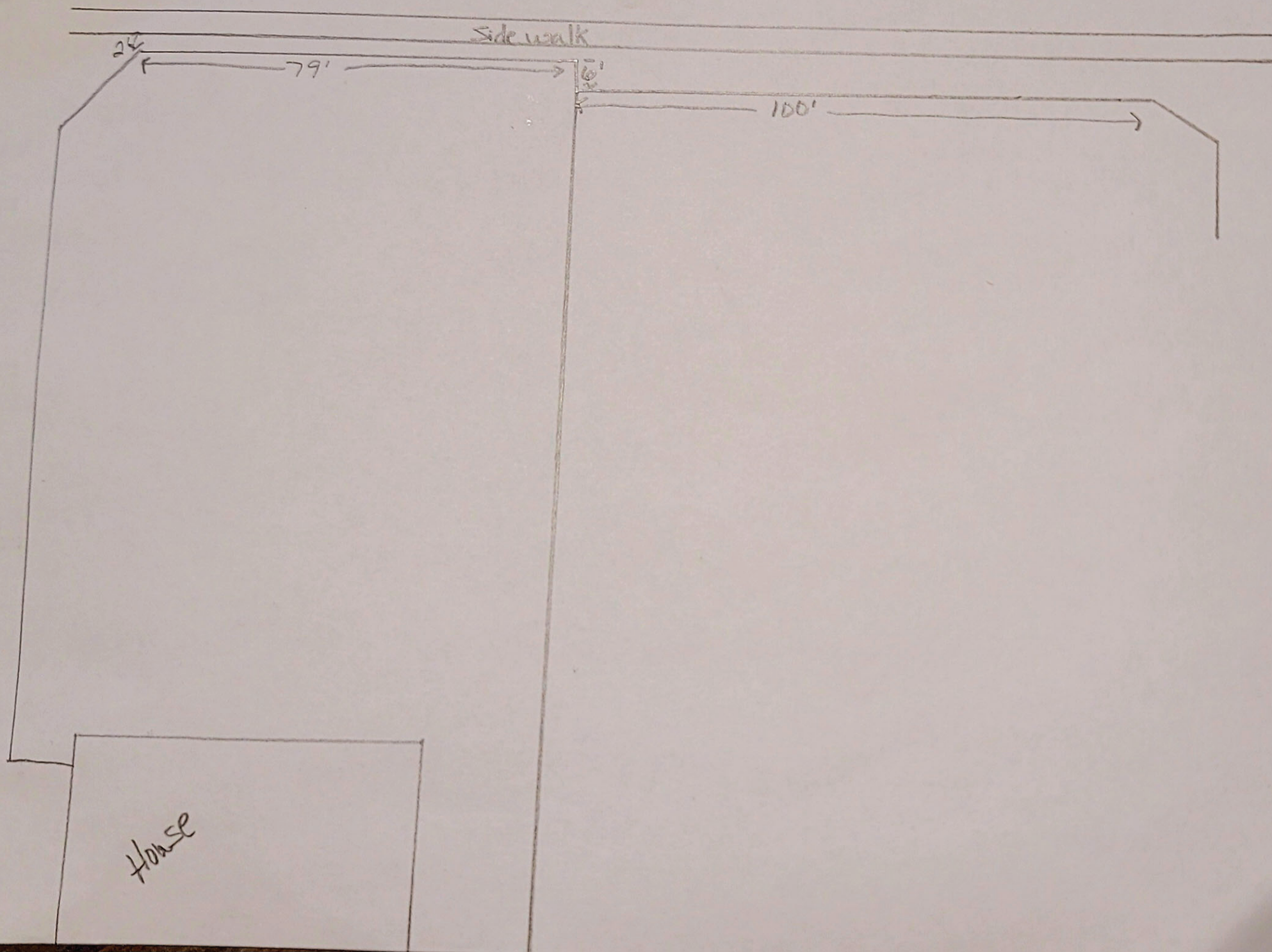
I further certify that the improvements on the above described parcel on this date, 02-21-2023, except utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises by improvements on any adjoining premises, except as indicated. If there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as noted.

ROY MOESSER - On Behalf Of King Surveyors
COLORADO LICENSED PROFESSIONAL
LAND SURVEYOR #30110



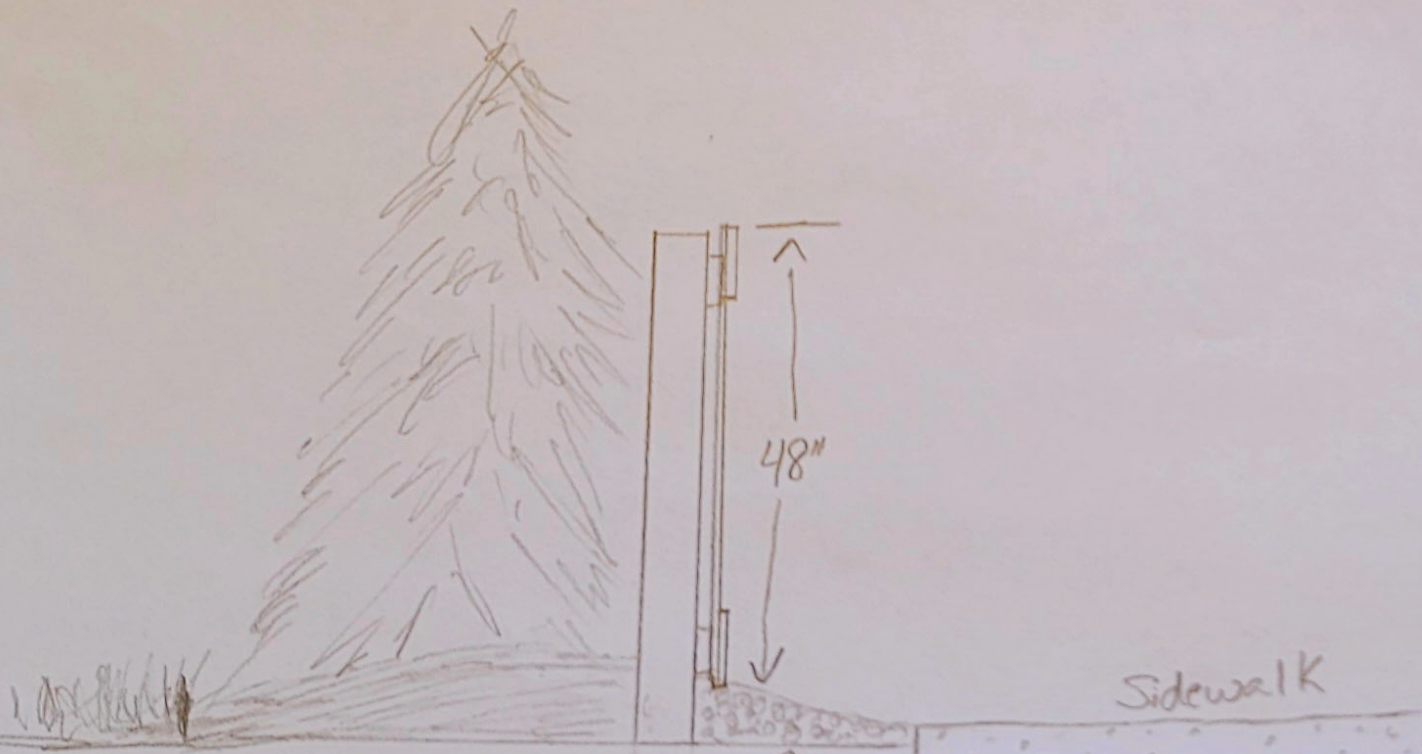
KING SURVEYORS
650 E. Garden Drive | Windsor, Colorado 80550
phone: (970) 686-5011 | fax: (970) 686-5821
www.kingsurveyors.com

PROJECT NO: 20230062
DATE: 3/29/2023
CLIENT: PAULETTE HALEY
DWG: 20230062 ILC
DRAWN: EL **CHECKED:** RM





Street elevation of Fence



Interior
Slightly raised area
for decorative shrubs

Weed barrier
+ gravel to match
existing

Sidewalk



PRIVATE
PROPERTY
NO TRESPASSING











NO OUTLET →

FISCH PR 2000



