



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](mailto: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](http://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](mailto: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](mailto: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.

<b>Variance Address</b>	65 Circle Drive	<b>Petitioner’s Name, if not the Owner</b>	VFLA Inc. - Taylor Meyer
<b>City</b>	Fort Collins, CO	<b>Petitioner’s Relationship to the Owner is</b>	Architect
<b>Zip Code</b>	80521	<b>Petitioner’s Address</b>	419 Canyon Ave, Suite 200
<b>Owner’s Name</b>	Judy Muenchow & Ward Gates	<b>Petitioner’s Phone #</b>	(970) 224-1191
<b>Code Section(s)</b>	4.7(D)(3)	<b>Petitioner’s Email</b>	taylor@vfla.com
<b>Zoning District</b>	NCL Zone District	<b>Additional Representative’s Name</b>	
<b>Justification(s)</b>	3. Nominal and inconsequential	<b>Representative’s Address</b>	
<b>Justification(s)</b>	Additional Justification	<b>Representative’s Phone #</b>	
<b>Justification(s)</b>	Additional Justification	<b>Representative’s Email</b>	
<b>Reasoning</b> 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 long horizontal flourish extending to the left.

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](http://www.vfla.com)

