

July 22, 2020

Harry Brennan
Planner II
City of Louisville
749 Main St
Louisville CO 80027

RE: 601 Johnson Ave.
Request for Setback Variance
To allow a 10' interior side yard setback, for a patio cover, where 20' is required.

Mr. Brennan,

The property owners, Brian and Meredith Deneau, recently purchased the property at 601 Johnson. To the west side of the home, off their kitchen, is an existing patio cover, built within the side yard setback. This roof has been in place for at least 20 years. Unfortunately it is poorly constructed and in need of repair/ replacement. The Deneau's value the sun protection from the western evening sun and desire to reconstruct the roof to improve its construction quality and provide a bit more headroom.

This request is to allow the reconstruction of the roof in its current location and the same plan size as is existing (approx. 10 feet x 20 feet).

We believe the variance is necessitated because of the lot's unusual shape and approval would afford the Deneau's reasonable use and enjoyment of their property similar to other properties in the neighborhood.

Reasons to approve the variance:

- The proposed roof cover would replace the existing roof in both location and plan size and is constant with its historic use and would not change the character of the neighborhood.
- Is open 3-sides and not enclosed. Does not increase visual massing or perceived bulk of the building (amount enclosed building coverage does not increase)
- The increase in height is minimal and well below the existing house and garage roofs. – no increase
- The 10 feet side yard setback similar to adjacent properties: RE to the west is 10 feet and RL to the north and south is 7 feet.

Variance Technical Criteria

The following is a list of criteria followed by our response. (R:)

1. That there are unique physical circumstances or conditions such as irregularity, narrowness or shallowness of lot, or exceptional topographical or other physical conditions peculiar to the affected property;

R: The unique configuration of the lot, long and narrow, poses an unusual condition within the surrounding neighborhood. The 20' interior side yard setback is also not typical throughout the surrounding neighborhoods.

2. That the unusual circumstances or conditions do not exist throughout the neighborhood or district in which the property is located;

R: The unusual lot shape creates a condition which is different from typical lots in the neighborhood. The two zone districts adjacent to this property, RE (west) and RL (north & south), have much smaller interior side yard setbacks, 10' and 7' respectively.

3. That because of such physical circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of this title;

R: The proposed cover is a reasonable type of development which will afford the property owners full use and enjoyment of their property. Given the proximity of the existing house to the setback it would not be possible to reconstruct a permanent roof structure without a variance.

4. That such unnecessary hardship has not been created by the applicant;

R: These circumstances are the result of existing building and property. Condition has been in existence for at least 20 years.

5. That the variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property;

R: The open unenclosed patio cover will be the same area and location as it stands today. It will not add to building bulk and will not increase the overall building height. The variance would allow the property to be more aligned with interior side yard setback standards in adjacent neighborhoods.

6. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the provisions on this title which are in question

R: The proposed variance is minimal. The proposed roof cover is to be reconstructed in the same location and to be the same size as currently exists. Approval of the variance would allow the property owners a fuller use and enjoyment of their patio.

Thank you for your consideration of this proposed 10' interior side yard variance. Please let me know if you have any questions or need any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter Stewart", with a stylized flourish at the end.

Peter Stewart, Project Representative