

Property Address: 2321 Sunland Street, Louisville CO 80027

Summary:

We, Jed and Courtney Staufer, are requesting a zoning variance that allows us to add a second story that runs the full length of our existing single-story house. The existing single-story house on a corner lot is partially located within a front yard setback from the street. Per Louisville city code, there is a 30' setback from the front of the house. (Note: While the 'front door' to our house faces Sunland Street, the actual front lot line per the municipal code was determined to be along Centennial Drive.) The existing single-story house cuts into the setback in a diagonal manner with one corner of the house being approximately 3.5' into the setback and the other corner of the house being located at the edge of the setback. (Please see included 'SETBACK LINE' PDF for an illustration.) We are requesting a zoning variance that will allow us to build straight up at this end of our existing house. This would allow for a logical and attractive design and avoid costly and awkward structural supports that would need to be placed in the middle of our first floor garage if the second floor must be set in from the existing first floor exterior wall. (Please see included 'Impacted Elevations - 2321 Sunland Street.png' file for location impacted by setback.)

Zoning Variance Criteria:

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.
 - a. **Owner response:** We are not the original owners of this property which was built in 1985. The original builder of the house in question either built into the setback with city approval at time of construction or the setback lines were altered after construction to create physical conditions that are peculiar to the affected property whereby one corner of the property sits approximately 3.5 feet into the setback.
2. That the unusual circumstances or conditions do not exist throughout the neighborhood or district in which the property is located.
 - a. **Owner response:** To our knowledge, we are the only property in our neighborhood area that has a house overlapping an established front yard setback. The original placement of the property within the setback, or later moving of the setback line to overlap with the existing structure, created circumstances that are unique to our corner lot and diagonally-situated house.
3. That because of such physical circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of Title 17 of the Louisville Municipal Code.
 - a. **Owner response:** Altering the architectural designs of our remodel in order to avoid building into the existing setback would create significant additional architectural, engineering, and construction expenses and require structural supports that would render a portion of our existing two-car garage unusable. Furthermore, altering the designs to accommodate the front yard setback would

result in less habitable square footage upstairs, decrease the value of our property, and create an odd look to the house with one corner of the house appearing to be 'cut off' instead of the second story being flush with the existing walls of the first story.

4. That such unnecessary hardship has not been created by the applicant.
 - a. **Owner response:** This unnecessary hardship was created during the initial construction, or imposed after construction was complete, by either the original builder or the city prior to our purchase of the home in 2013.
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.
 - a. **Owner response:** Granting this variance will not alter the essential character of the neighborhood. In our opinion, denying the request for variance will force us to alter the designs of the house in a way that will look strange and incongruent with the design of surrounding houses on our street. There are many houses in the community that have habitable space built above their garages where the second story wall is flush with the first story and therefore looks like a natural extension of the first floor. Granting this variance will also not impair the use of an adjacent property. Our property is on a corner lot with no property located on the side of the property in question. Additionally our neighbors to the west, behind our property, do not have any windows on the side of their house that faces the area of our house in question.
6. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the provisions of Title 17 of the Louisville Municipal Code that is in question
 - a. **Owner response:** This is the minimum variance that will afford relief as we are not looking to extend the structure farther into the front yard setback. We are requesting permission to build straight upwards on the side of the house in question and have the second story line up with the first story of the existing structure.