

September 5, 2023

## ADMINISTRATIVE VARIANCE APPLICATION: SETBACKS

Address: 750 St Andrews Lane / Lovrien Subdivision  
Request: 10% setback (street side) variance for in-ground pool – 36 ft where 40 ft are required

### Project Scope

This application requests a 10% street side setback variance to allow the addition of an in-ground pool in the backyard of the home currently being rebuilt after the Marshall Fire. Due to the unique shape and location of the property, the area behind the house (adjacent to Dillon Road) is considered a side yard adjacent to a street. The site's topography, sloping down from Dillon Road towards St Andrews Lane to the north, make the functional backyard the least visible part of the parcel.

### Response to Administrative Variance Criteria:

1. 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.

**RESPONSE:** This property has several unique physical features. It is triangle-shaped, on a slope facing St Andrews Lane to the North, but is separated from the street by a parcel owned by the City of Louisville. Planning staff has therefore made the determination that the front yard is adjacent to the shortest property line facing another parcel owned by the City of Louisville to the West, and that the third side, facing the Dillon Road right-of-way, is a side yard adjacent to a street. This third side contains the functional backyard which, due to topography sloping down to the north, is several feet below and imperceptible from Dillon Road.



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

**RESPONSE:** None of the conditions described above are found throughout the rest of the neighborhood, which consists of standard single family residential lots with clear street-facing front yards.

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

**RESPONSE:** The configuration of setbacks outlined above does not allow room for a pool in the backyard, where it is least visible from adjacent properties due to the site's topography, with reasonable and useable separation from the house. Any other location on the site would increase the pool's visibility from adjacent properties and rights-of-way.

4. Such unnecessary hardship has not been created by the applicant.

RESPONSE: The house is being rebuilt on the footprint of the structure lost in the Marshall Fire. The Lovrien Subdivision and therefore the property's shape, location, and adjacencies, were established long before it was purchased by the current owners.

5. 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.

RESPONSE: The requested variance will not have an impact on the character of the neighborhood nor the use or development of adjacent property. It will allow the pool to be located in the functional backyard and in the least visible part of the site.

6. 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.

RESPONSE: The full 10% variance allowed under the administrative process is necessary for the pool to be situated with reasonable and useable separation from the house.

City Of Louisville

To whom it may concern:

Please accept this letter as a request for the 10% variance to the 40 ft. setbacks for **750 St Andrews** where we propose to put a 20m lap pool (65' x 10') at the back of our house that is being rebuilt after the Marshall Fire.

This is an odd triangle shaped piece of property named the **LOVRIEN Subdivision** that is adjacent only to City of Louisville property on all four sides. The city has determined that what we consider to be the side of the house (west – Monarch HS Trail) is the Front and that the "back of the house" (North) is a side yard. Regardless, all 4 sides of the property are adjacent only to City of Louisville property.

The North edge of the property (backyard) runs parallel to Dillon Road but without actually going to the house you wouldn't be able to tell that we are a full 100 yds from the actual Dillon Road and 30 ft in elevation **BELOW** the "Dillon Road Mesa/Prairie Dog Town", such that you can just barely see our roof as one drives down Dillon (similar to the other homes in the Coal Creek Ranch subdivision).

Furthermore, we have an 8 ft high retaining wall between the North property line and the house and a substantial garden and trees above it, all of which block any visibility to the proposed lap pool even if one were to drive on the old Dillon Road roadbed at the property line.

Figure 1 – Aerial View of property (pre-Marshall Fire)

Figure 2 – picture of the existing retaining wall

Figure 3 – rendering of pool in relation to house and "Dillon Rd" retaining wall

We are not challenging the 40 ft setback from the North/Dillon Road property line. We are only asking for the 10% variance as that extra 4 ft would help with the elevations between the Dillon Rd hillside and the house, so as to not crowd the distance from the back of the house to the pool while also allowing us to use the existing retaining wall.

Our further understanding is that the variance also requires written authorization providing consent from **adjacent property owners**. However, as the only adjacent property owner(s) on all four sides of the property is the City of Louisville we kindly ask for the approval of the City of Louisville.

Thank you for your consideration.

Sincerely,

Handwritten signatures of Stephen W. Roch and Lorie S. Moreno-Roch in cursive script.

Steve Roch & Lorie Moreno-Roch  
750 St. Andrews Ln  
Louisville, CO 80027

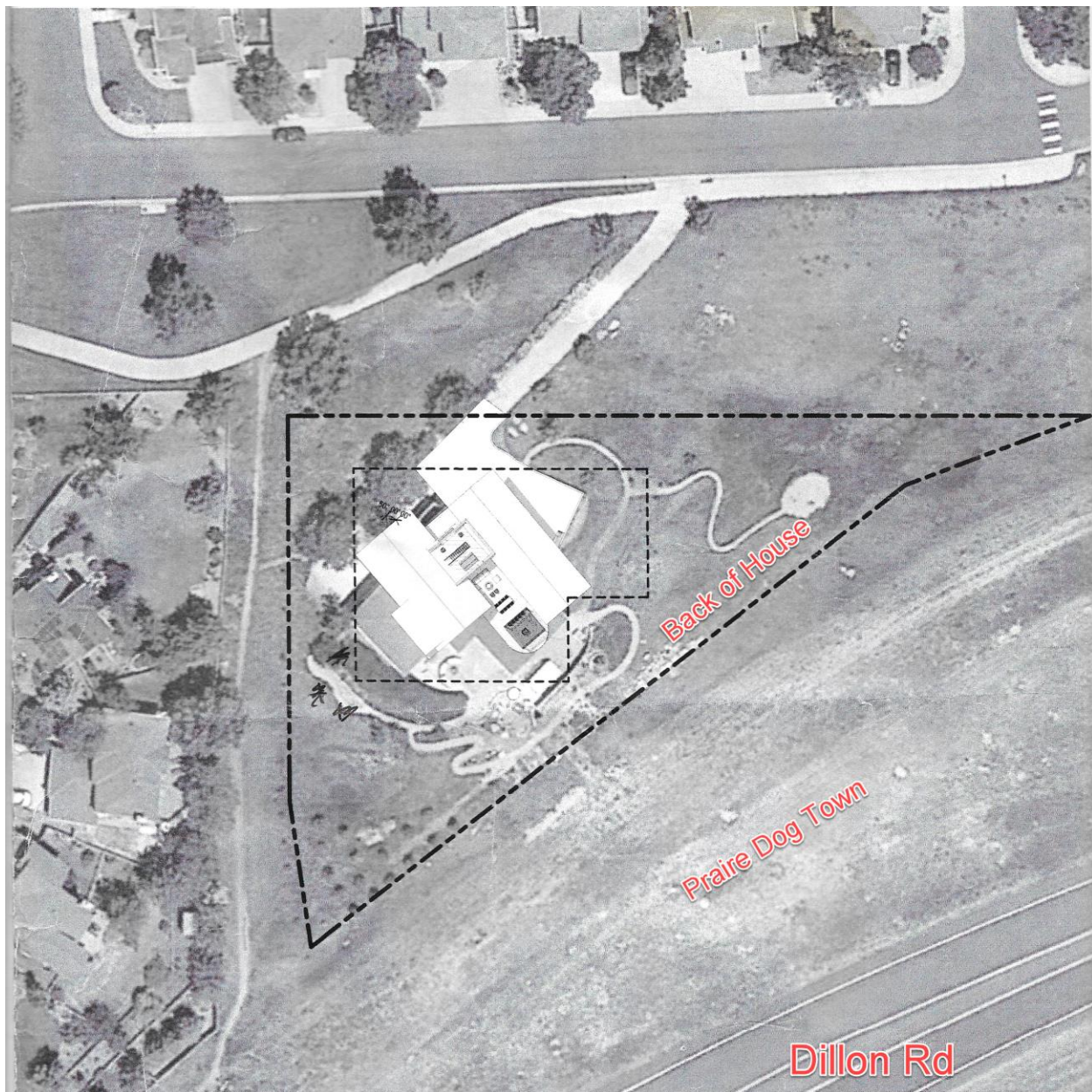


Figure 1 - Aerial of 750 St. Andrews (pre-fire)





Figure 2 - Existing Retaining wall where hot tub used to be located.

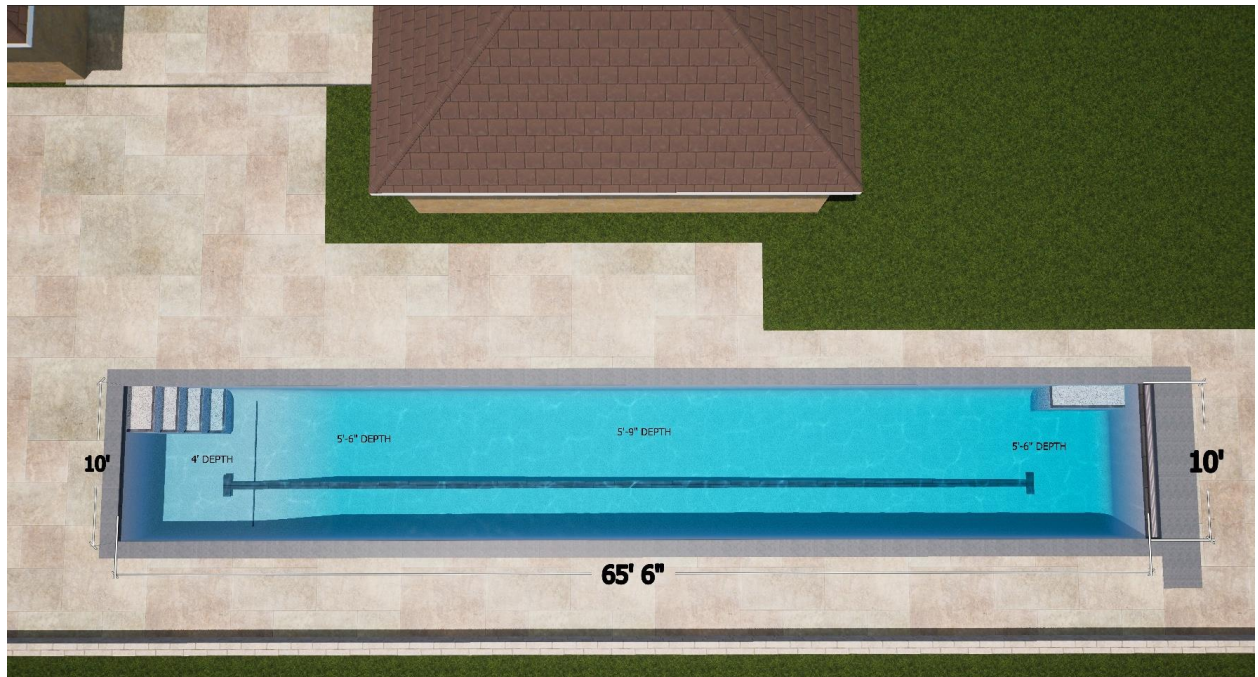


Figure 3 - Pool placement