

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856 Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

# BOULDER COUNTY BOARD OF ADJUSTMENT PUBLIC HEARING

April 5, 2023 at 4:00 p.m.

All Board of Adjustment public hearings will be offered in a hybrid format where attendees can join **through Zoom** or **in-person** at the Boulder County Courthouse, 3rd Floor, 1325 Pearl Street, Boulder.

### **PUBLIC HEARING**

**STAFF PLANNER:** Sam Walker, Planner II

**RECOMMENDATION:** Denial of Variance Request

# **Docket VAR-23-0002: Stevenson Variance**

Request: Variance request to reduce the required side-yard setback

from 25 feet (required) to 18 feet (proposed)

Location: 32050 Coal Creek Canyon Drive (aka SH72),

approximately 150 feet east of the intersection of Coal Creek Canyon Drive and Copperdale Lane, in Section 32,

T1S, R71W.

Zoning: Forestry (F) Zoning District

Agent: Guy Stevenson

Property Owners: Ben Timm & Melissa Antone

### **PACKET CONTENTS:**

Item	Pages
o Staff Recommendation	1 - 8
o Application Materials (Attachment A)	A1 – A21
o Referral Agency Responses (Attachment B)	B1 – B12

### **SUMMARY**

The applicant requests a 7-foot reduction of the 25-foot required side yard setback in the Forestry zoning district to facilitate the construction of a residential addition on the western façade of the existing residence. Staff recommends that this variance request be denied because all of the review criteria in Article 4-1202(B)(2) of the Boulder Country Land Use Code (the Code) cannot be met.

# **DISCUSSION**

The subject property is located on the south side of Coal Creek Canyon Drive (also known as, and heretofore referred to, as SH72), approximately 150 feet east of the intersection of SH72 and Copperdale Lane. The property is approximately 1.6 acres in size, is located in the Forestry zoning district, and is a legal building lot. Access to the parcel is via an existing driveway onto SH72.

The existing residence is a two-story design that follows the slope, and therefore the first floor living area varies in elevation. As illustrated in Figures 1 and 2 below, the bulk of the first floor living area (red outline) is elevated approximately 1' 9" above the garage level (green outline), which is in turn elevated approximately 1' above the floor of the first-floor bedroom (blue outline).

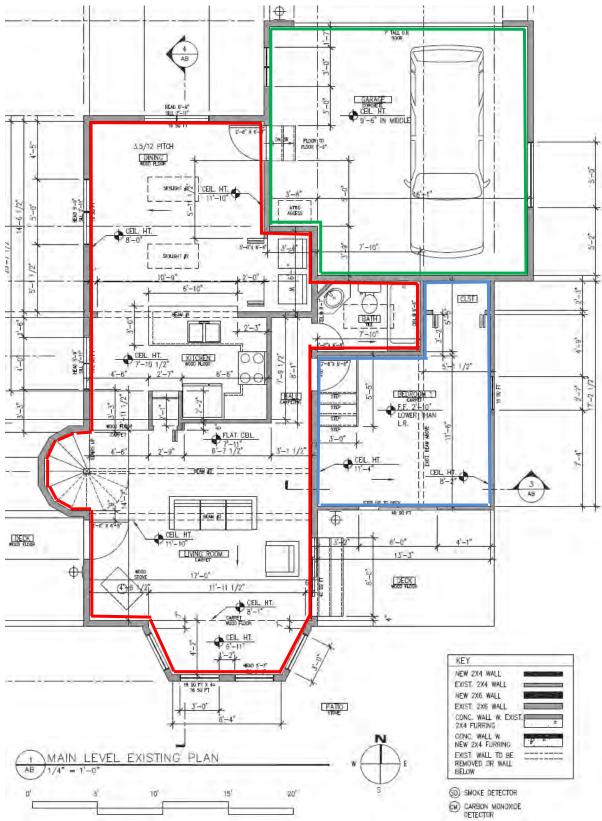


Figure 1: Existing residence main-level floor plan, with areas of differing elevation identified by red (highest elevation, including dining area, kitchen, and living room), green (middle elevation, garage), and blue (lowest elevation, bedroom)

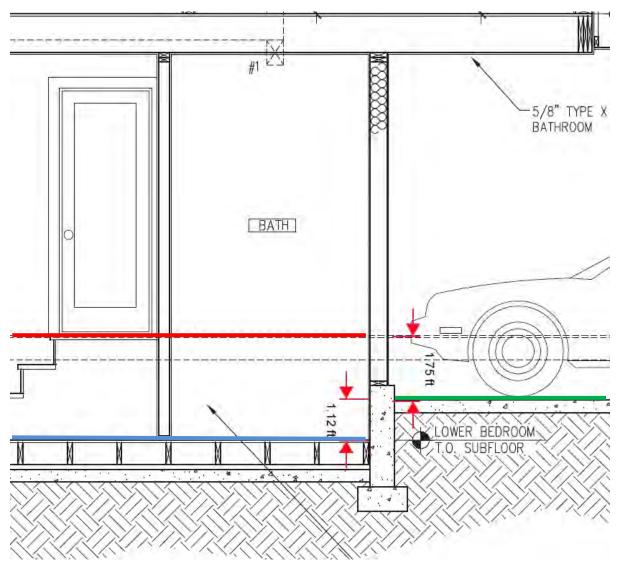


Figure 2: Detail of first-floor residence section with areas of differing elevation identified by red, green, and blue lines to match Figure 1, as well as elevation measurements indicated by red arrows.

The second floor of the structure is accessed via an internal spiral staircase. The staircase is enclosed by a round wall which extends beyond the otherwise flat plane of the western wall of the residence, but meets the required setback. The applicant's hardship statement indicates that this spiral staircase is unsafe and does not meet several current code requirements. The applicants propose to replace the spiral staircase with a larger u-shaped staircase in the same location, requiring a bump-out that will protrude approximately 7 feet into the required side-yard setback. They also propose a mudroom addition directly south of the stairway bump-out to take advantage of the setback reduction and add an enclosed entry to an exterior door. Figure 3, below, shows a detail view of the applicants' site plan, showing the proposal, setbacks, and a comparison to the existing layout. Figure 4 shows a detail view of the interior layout of the desired western addition that necessitates this variance request.

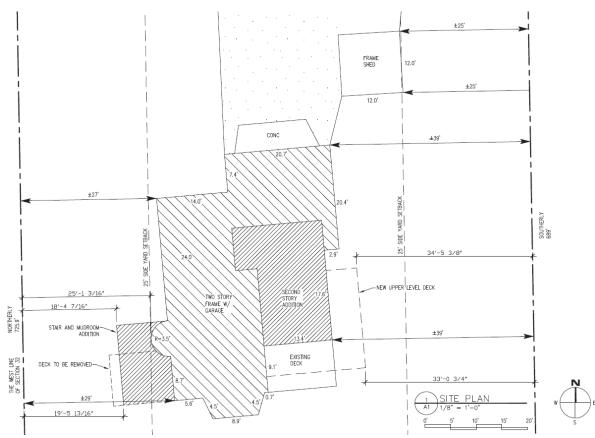


Figure 3: Applicants' proposed site plan, including proposed additions on the western building façade as well as a proposed second-floor addition

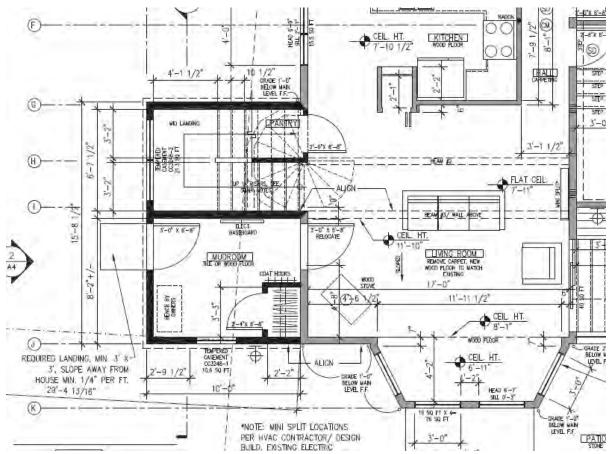


Figure 4: Detail view of interior layout for the proposed staircase and mudroom addition to the western façade of the residence.

The applicant's hardship statement indicates that the differing elevations on the first-floor level are the reason for the variance request; they state that the interior layout of the residence prevents the addition of a stairway that provides adequate access to the existing second floor anywhere except for on the western side of the structure. Alternative locations for a new stairway would compromise the utility of the first floor living area.

A residential addition on the second floor of the residence is also part of their overall project, but it does not require a variance from setbacks. The proposed second floor addition will be reviewed as part of a Site Plan Review Waiver application following the conclusion of the variance review.

### REFERRALS

The variance request was sent to property owners within 1,500 feet of the subject property, as well as all applicable referral agencies. Responses received by staff are attached to this staff recommendation (Attachments B and C) and summarized below.

**Boulder County Building Safety & Inspection Services Team:** This team expressed no concerns with the variance request, and noted requirements for the additions if approved, including building permits, wind and snow loads, Buildsmart, ignition-resistant materials and defensible space, and Plan Review.

Boulder County Development Review Team – Access & Engineering: This team confirmed that the property is legally accessed via SH72, that no improvements to the access drive would be required as part of the Variance process, and noted no conflicts with the proposed variance.

**Boulder County Wildfire Mitigation Team:** The Wildfire team referral response noted that wildfire mitigation would be required for any development on the parcel, but indicated that they could support the proposed variance if materials with increased ignition resistance were required for the stair and mudroom addition.

**Agencies indicating no conflicts:** Boulder County Parks & Open Space, Boulder County Public Health.

**Agencies that did not respond:** Boulder County Long Range Planning, Boulder County Assessor, Boulder County Attorney's Office, Boulder County Surveyor, Coal Creek Canyon Improvement Association, United Power, Gilpin County CDD, Jefferson County Planning, Boulder Valley & Longmont Conservation Districts, Colorado Department of Transportation.

Adjacent Property Owners -112 referrals were sent to nearby property owners, and staff received no responses from members of the public.

### CRITERIA ANALYSIS

Per Article 3-100.A.18 of the Code the Board of Adjustment (BOA) may approve a variance from the terms of the Code as set forth in Article 4-1200. To grant a variance, the BOA must find that the following criteria from Article 4-1202(B)(2) of the Code are satisfied:

(a) There exist exceptional or extraordinary physical circumstances of the subject property such as irregularity, narrowness, shallowness, or slope;

Staff do not find that the subject parcel is encumbered by extraordinary or exceptional physical circumstances. The parcel slopes generally downward from north to south, but the area surrounding the existing residence is relatively flat and has previously been developed. While the parcel is narrow, 100 feet wide for its entire north-south length, the required setbacks in the Forestry zoning district where it is located leave a 50-foot wide area in the center of the parcel where development could occur in compliance with the required setbacks.

Therefore, staff finds this criterion is not met.

(b) Because of these physical circumstances, the strict application of the Code creates an exceptional or undue hardship upon the property owner;

Because staff do not find that there are exceptional or extraordinary physical circumstances on the parcel, the strict application of the Code does not create an exceptional or undue hardship on the property owner.

Therefore, staff finds this criterion is not met.

### (c) The hardship is not self-imposed;

Staff have not identified a hardship on the parcel that would justify the proposed setback reduction. The hardship statement included with the application materials indicates that the interior layout of the existing residence precludes construction of a second-floor access that will meet setbacks without limiting utility of existing first-floor rooms.

Therefore, staff finds this criterion is not met.

(d) The variance, if granted, will not adversely affect the uses of adjacent property as permitted under this code;

Staff do not anticipate that the proposed variance will adversely affect the uses of adjacent properties as permitted under the Code, nor has any referral agency or nearby property owner responded with such a concern. The proposed variance would still leave an 18-foot setback between the stair addition and the western parcel boundary, and the western-adjacent neighbor is unlikely to develop the area of their property near the proposed setback reduction because of the small area between Copperdale Lane and their eastern property line.

Therefore, staff finds this criterion is met.

(e) The variance, if granted, will not change the character of the zoning district in which the property is located, and is in keeping with the intent of the Code and the Boulder County Comprehensive Plan;

Staff do not have concerns that the variance will change the character of the zoning district in which the property is located if granted. Aerial photographs of the area around the subject parcel indicate that many nearby properties also have development that approaches or possibly encroaches on setbacks.

Therefore, staff finds that this criterion is met.

(f) The variance, if granted, does not adversely affect the health, safety, and welfare of the citizens of Boulder County and is in accordance with the Comprehensive Plan and any applicable intergovernmental agreement affecting land use or development.

There is no indication that the proposed variance would adversely affect the health, safety, or welfare of Boulder County citizens, and no referral agency or nearby property owners responded with such concerns.

Therefore, staff finds this criterion is met.

### RECOMMENDATION

As discussed above, staff find that three of the criteria for a variance cannot be met. Therefore, Community Planning & Permitting staff recommend that the Board of Adjustment **DENY Docket VAR-23-0002: Stevenson Variance.** 

If the Board of Adjustment approves the request for variance, staff recommends the following conditions:

- 1) The reduced side-yard setback of 18' 4" is only approved for the stair and mudroom addition proposed in the application materials for this variance and BP-23-0304.
- 2) The proposed additions and any future expansions are otherwise subject to the provisions of the Boulder County Land Use Code and shall be reviewed for approval in the appropriate process as required by the provisions of the Boulder County Land Use Code (as amended) including Site Plan Review Waiver, Site Plan Review, or other applicable process.
- 3) All future development is subject to applicable permitting and setback requirements.
- 4) Building permits are required for all proposed improvements.



# **Boulder County Land Use Department**

Courthouse Annex Building 2045 13th Street • PO Box 471 • Boulder, Colorado 80302

Phone: 303-441-3930 • Fax: 303-441-4856 Email: planner@bouldercounty.org Web: www.bouldercounty.org/lu

Office Hours: Mon., Wed., Thurs., Fri. 8 a.m. to 4:30 p.m.

Tuesday 10 a.m. to 4:30 p.m.

Shaded Areas for Staff Only			
Intake Stamp			

# Application Form

Application i onli								
Project Number				Project Name	Project Name			
☐ Limited Impact Special Use ☐ Limited Impact Special Use Waiver ☐ Modification of Special Use ☐ Site Plan Review ☐ Site Plan Review Waiver ☐ Subdivision Exemption ☐ Exemption Plat ☐ 1041 State Interest Review ☐ Other:		Application Deadline: First Wednesday of the Month			Application Deadline: Second Wednesday of the Month			
		☑ Variance ☐ Appeal		☐ Prelimina☐ Final Plat☐ Resubdiv	☐ Sketch Plan ☐ Preliminary Plan ☐ Final Plat ☐ Resubdivision (Replat) ☐ Special Use/SSDP		Roa Loc	oning d/Easement Vacation ation and Extent d Name Change
Location(s)/Street Address(es) 32050 Coal Creek Ca	nyon			<u>'</u>		<u>'</u>		
Subdivision Name Walker Ranch Area								
Lot(s)	Block(s)		Section(s)		Township(s)		1	Range(s) 71
Area in Acres 1.57	Existing Zoning F		Existing Use of Property Single Family Home				ı	Number of Proposed Lots 1 (no change)
			Proposed Se Septic	oposed Sewage Disposal Method Septic				
Applicants:								
Applicant/Property Owner Ben Timm and Melissa Antone					Email Address benjaminblaketimm@gmail.com			
Mailing Address 32050 Coal Creek Car	nyon							
Golden Golden			Zip Code 80403		Phone 720-625-0886		ı	Fax
Applicant/Property Owner/Agent/Consultant					Email Address			
Mailing Address								
City	State		Zip Code		Phone		I	- Fax
Agent/Consultant Ema Guy Stevenson gu			Email Address guy@guystev	nail Address guy@guystevensondesigns.com				
Mailing Address 3013 Lee Hill Drive								
<sup>City</sup> Boulder	State CO			Phone 303 447 0774		Fax		

**Certification** (Please refer to the Regulations and Application Submittal Package for complete application requirements.)

I certify that I am signing this Application Form as an owner of record of the property included in the Application. I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. I understand that all materials required by Boulder County must be submitted prior to having this matter processed. I understand that public hearings or meetings may be required. I understand that I must sign an Agreement of Payment for Application processing fees, and that additional fees or materials may be required as a result of considerations which may arise in the processing of this docket. I understand that the road, school, and park dedications may be required as a condition of approval.

I understand that I am consenting to allow the County Staff involved in this application or their designees to enter onto and inspect the subject property at any reasonable time, without obtaining any prior consent.

All landowners are required to sign application. If additional space is needed, attach additional sheet signed and dated.

Signature of Property Owner Benjamin Blake Timm	Printed Name Ben Timm	Date 2/5/2023
Signature of Property Owner Melissa Antone	Printed Name Melissa Antone	Date 2/5/2023

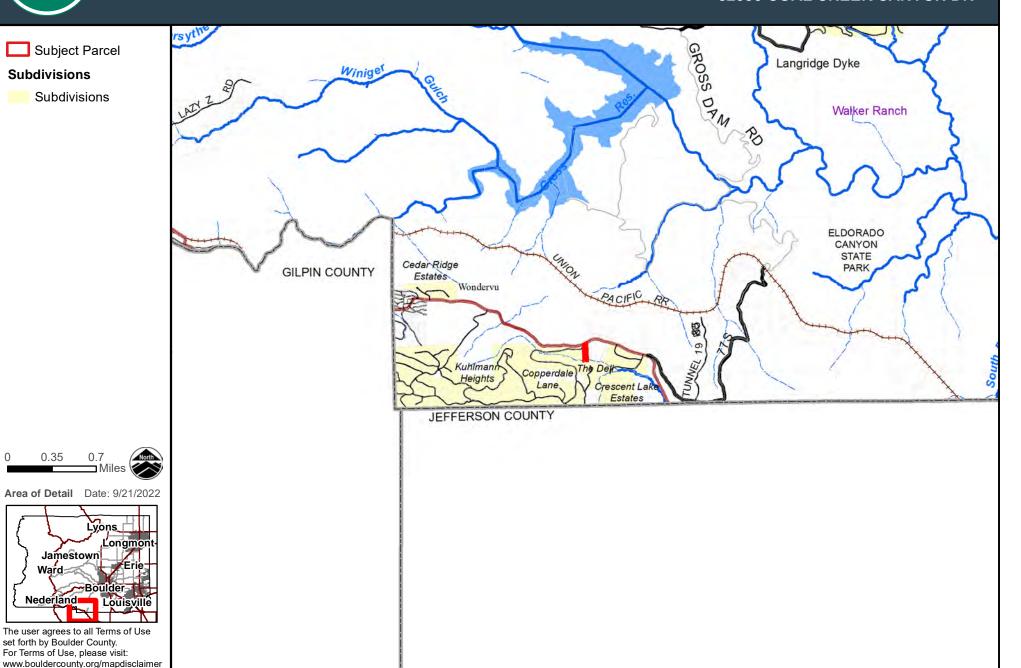
The Land Use Director may waive the landowner signature requirement for good cause, under the applicable provisions of the Land Use Code.

2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

**Vicinity** 

32050 COAL CREEK CANYON DR





Jamestown

set forth by Boulder County.

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Aerial
32050 COAL CREEK CANYON DR

Subject Parcel





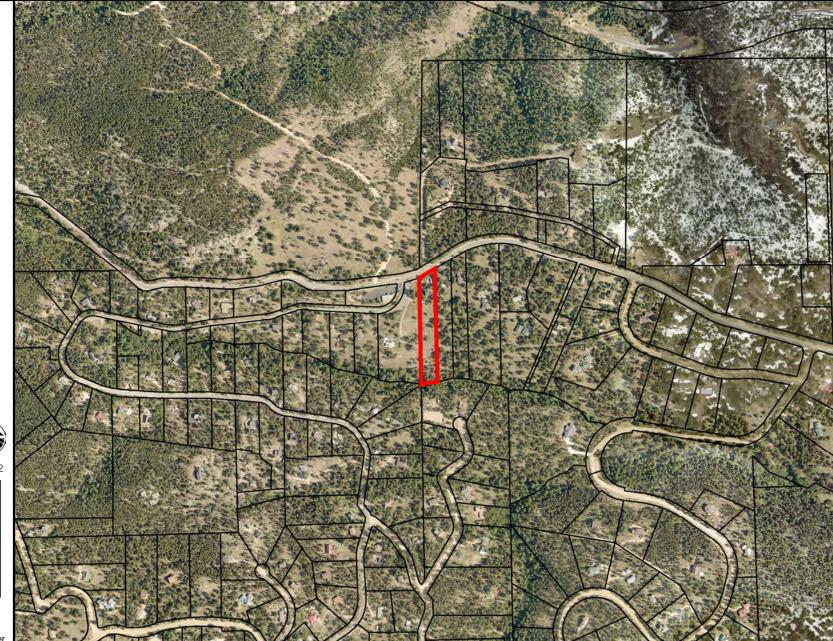
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Aerial
32050 COAL CREEK CANYON DR







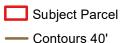
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**Community Planning & Permitting Comprehensive Plan Boulder** County 2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org 32050 COAL CREEK CANYON DR Subject Parcel SH 72 COPPERDALE LN 0.015 0.03 Area of Detail Date: 9/21/2022 Jamestown -Boulder Nederland -Louisville COPPERDALE IN The user agrees to all Terms of Use set forth by Boulder County. For Terms of Use, please visit: www.bouldercounty.org/mapdisclaimer

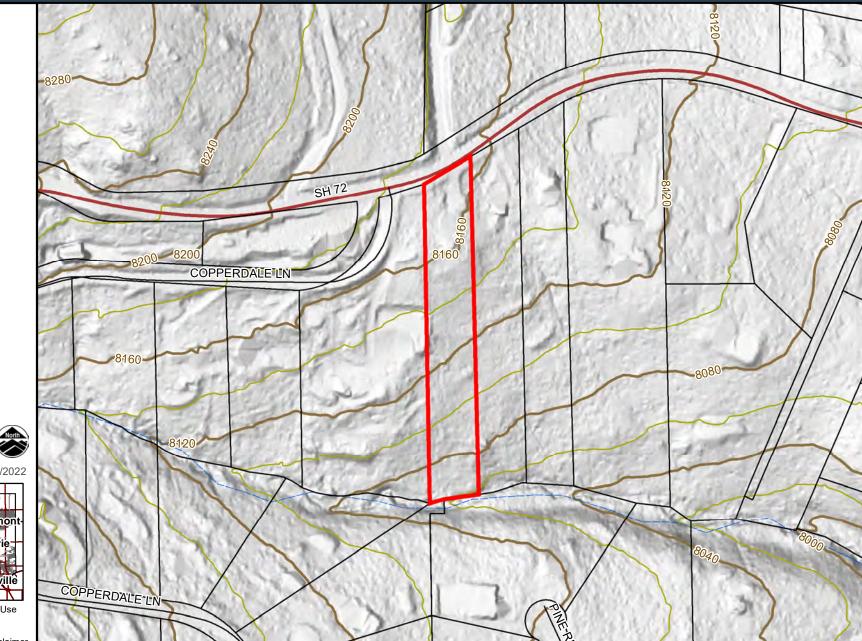


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Elevation Contours
32050 COAL CREEK CANYON DR



Contours 20'



Area of Detail Date: 9/21/2022

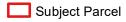
Lyons
LongmontJamestown
Ward
Boulder
Nederland
Louisville

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Floodplain 32050 COAL CREEK CANYON DR

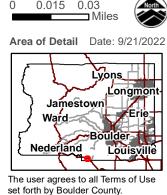


# Floodplain

Floodway

500-Year Floodplain - Zone X500

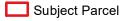


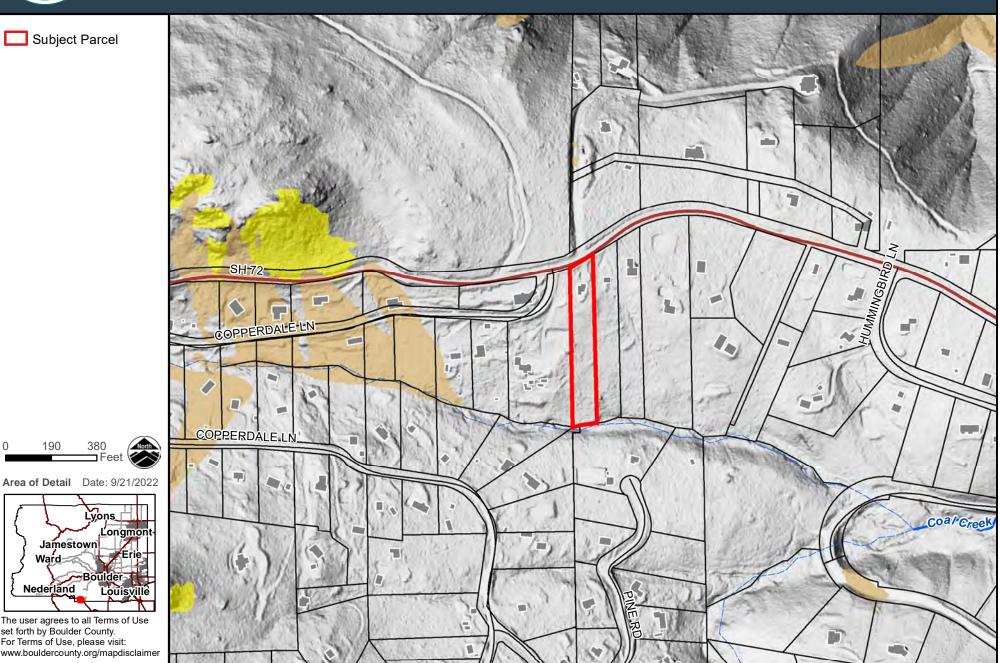


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**Geologic Hazards** 32050 COAL CREEK CANYON DR





Boulder

Louisville

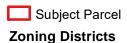
Jamestown

Nederland



2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

**Zoning** 32050 COAL CREEK CANYON DR



Forestry

**Major Road** Setbacks

55 feet



Nederland -

set forth by Boulder County.

Jamestown

**~**Boulder □



# Boulder County Land Use Department

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Boulder, Colorado 80302

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Office Hours: Monday - Friday 8:00 AM to 4:30 PM

Intake Stamp:		
Docket #:		

# Board of Adjustment (BOA) Hardship Statement

Explain how the following hardship criteria for granting a variance have been satisfied. Please feel free to attach your statements using a separate piece of paper.

attach your statements using a separate piece of paper.	
$\hbox{A. There exists exceptional or extraordinary physical circumstances of the subject property narrowness, shallowness, or slope.}$	such as irregularity,
Existing house sits on a very narrow lot that is only 100' wide. House is zoned Forestry with 25' side yard setbacks a 50' wide building envelope.	which only leaves
B. Because of these physical circumstances, the strict application of this Code would create hardship up the property owner.	an exceptional or undue
The owners are looking to replace the stairs that lead from the main level to the upper level. The existing stairs are had their first child. Existing stairs do not meet the code requirements for treads, risers, stair width, headroom, hand	extremely unsafe and the family just drails or guardrails.
The only location in the house that is feasable for the new stairs is along the West wall where the current stairs are is not possible due to the 5'-6" ceiling height in the Sitting Area above. Stairs to the South of the Sitting Room woul middle the Living Room. Stairs on the East would involve having to go through the bedroom to access the stairs.	e. Locating the stairs on the North Id mean locating the stairs in the
C. The hardship is not self-imposed.	
The house is existing and was located near the West setback when the house was built. Non-conforming stairs s	seem be origional.
D. The variance, if granted, will not adversely affect the use of adjacent property as permit	ted under this Code.
The addition on the West as drawn would not adversly affect the adjacent property owner.	
E. That the variance, if granted, will not change the character of the zoning district in which and is in keeping with the intent of this Code and the <i>Boulder County Comprehensive Planter</i>	h the property is located, n; and,
Addition as drawn would not adversly affect the character of the zoning district and is in keeping with the intent of t Comprehensice Plan. Ironicially, it would appear that none of the adjacent properties that have the same narrow lo	his Code and the Boulder ots meet the 25' side yard setback
F. That the variance, if granted, does not adversely affect the health, safety, and welfare of County.	f the citizens of Boulder
If the variance was granted it would not adverely affect the health, safety and welfare of the citizens of Boulder. The a positive affect on the health and safety of the homeowners given the unsafe nature of the existing stairs.	ne new stairs would actually have
Applicant or Agent Signature: July Stevenson	Date: 2/3/2023

Form: P/55 • Rev. 09.18.08 • g:/handouts/planning/pdf/55\_boa\_hardship\_statement.pdf

OWNER BENJAMIN TIMM MELISSA ANTONE 32050 COAL CREEK CANYON GOLDEN CO 80403 PROJECT DESCRIPTION: EXISTING HOME MAIN LEVEL 1362 SQ. FT. EXISTING UPPER LEVEL 255 SQ. FT PROPOSED MAIN ADDITION- 1; RROPOSED UPPER ADDITION / 427 SQ. FT. TÒJAL SQ. FT

STEVENSON DESIGNS GUY STEVENSON 3013 LEE HILL DRIVE BOULDER, CO 80302 PH. 303-447-0774 GUY@GUYSTEVENSONDESIGNS.COM

1. WORK IS TO BE PERFORMED IN COMPLIANCE WITH ALL APPLICABLE BUILDING CODES. 2. CONTRACTOR TO FIELD VERIFY ALL CONDITIONS PRIOR TO START OF WORK AND NOTIFY S.D. (STEVENSON DESIGNS) OF ANY AND ALL DISCREPANCIES. . CONTRACTOR TO OBTAIN ALL REQUIRED PERMITS PRIOR TO START OF ANY CONSTRUCTION OR

CONTRACTOR

PROPOSED PLANS

/A3 PROPOSED RLANS

AB AS-BUILT PLANS

A4 SECTIONS

ackslash a5 ELEVATIONS S1 STRUCTURAL

SZ STRUCTURAI

S3 STRUCTURAL

S4 STRUCTURAL

P.O. BOX 20708

BOULDER CO 80308

PH. 303-554-9591 FAX 303-554-9592

EN ENERGY CODE

GLENN FRANK ENGINEERING

HOMEOWNER TO ACT AS G.C.

4. BUILDER TO LOCATE ALL EXISTING UTILITIES PRIOR TO START OF ANY WORK. 5. IF NO GEOTECHNICAL REPORT HAS BEEN PROVIDED, AN OPEN HOLE INSPECTION SHALL BE COORDINATED WITH AN APPROVED SOILS ENGINEER AFTER EXCAVATION, BUT PRIOR TO SETTING OF ANY FORMWORK. RESULTS ARE TO BE FORWARDED TO THE ARCHITECT AND THE STRUCTURAL

6. UNLESS OTHERWISE INDICATED OR NOT FEASIBLE, PROVIDE POSITIVE DRAINAGE AWAY FROM THE BUILDING FOR A MINIMUM OF 10'. 7. UNLESS OTHERWISE NOTED, ALL EXTERIOR WALLS SHALL BE 2X6'S AT 16" O.C. AND INTERIOR

WALLS SHALL BE 2X4'S AT 16" O.C. 8. ALL INTERIOR WALLS SHALL RECEIVE INSULATION UNLESS OTHERWISE INSTRUCTED. 9. ALL EXPOSED ROOF PENETRATIONS SUCH AS VENTS AND FLUES SHALL BE PAINTED TO MATCH THE SURROUNDING ROOF.

10. ALL MATERIALS AND EQUIPMENT SHALL BE INSTALLED PER THE MANUFACTURER'S INSTRUCTIONS. NOTIFY S.D. OF ANY DISCREPANCIES BETWEEN THE MANUFACTURER'S INSTRUCTIONS AND THE CONSTRUCTION DRAWINGS. 11. PROVIDE FIRE BLOCKING AS REQUIRED.

12. DO NOT SCALE DRAWINGS. IF A PARTICULAR DIMENSION IS NOT CLEARLY INDICATED CONTACT S.D. LARGE SCALE DRAWINGS TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. IF THERE IS A CONFLICT BETWEEN TWO DRAWINGS OF THE SAME AREA CONTACT S.D. STRUCTURAL DRAWINGS TAKE PRECEDENCE OVER S.D. DRAWINGS IN REGARDS TO STRUCTURAL ISSUES. IF THERE IS A CONFLICT BETWEEN THE STRUCTURAL DRAWINGS AND S.D. DRAWINGS CONTACT S.D. 13. TAKE CARE NOT TO DAMAGE EXISTING LANDSCAPING. PROVIDE ADEQUATE PROTECTION IN THE FORM OF HAY BALES AND SNOW FENCING AS REQUIRED.

14. VERIFY WITH OWNER WHETHER DRYWALL CORNERS SHALL BE RADIASED OR SQUARE. 15. SHOP DRAWINGS SHALL BE PROVIDED TO THE OWNER AND S.D. FOR CUSTOM CABINETRY. 16. OWNER TO APPROVE SAMPLES FOR PAINT, TILE, FLOORING, CABINETRY, DRYWALL FINISH, EXTERIOR FINISHES, ROOFING MATERIALS, GUTTERS, FASCIA MATERIAL AND SIZE, SOFFIT MATERIAL AND COLOR, WINDOWS, DOORS, INTERIOR AND EXTERIOR TRIM AND ANY AND ALL APPLIANCES AND EQUIPMENT. IF WINDOW SPEC. IS CHANGED FROM THE CONSTRUCTION DOCUMENTS NOTIFY S.D. 17. IF TRUSSES ARE TO BE USED, PROVIDE A SET OF SHOP DRAWING TO S.D. AND STRUCTURAL

18. EGRESS WINDOWS SHALL MEET THE FOLLOWING CRITERIA: CLEAR SILL HEIGHT SHALL BE A MAXIMUM OF 44" ABOVE THE FINISHED FLOOR, THE CLEAR WIDTH SHALL BE A MIN. 20", THE CLEAR HEIGHT SHALL BE A MIN. OF 24", AND THE TOTAL CLEAR OPENING SHALL BE A MIN. OF 5.7 SQ. FT. WINDOW WELLS (IF REQ..) SHALL BE A MIN. OF 36" DEEP, A MIN. OF 9 SQ. FT. AND SHALL BE PROVIDED WITH A LADDER IF REQ. BY CODE. VERIFY WITH WINDOW MANUFACTURES WHETHER A PARTICULAR WINDOW MEETS EGRESS PRIOR TO PLACING ORDER. REQUIREMENTS FOR TEMPERED GLASS SHALL BE THE RESPONSIBILITY OF THE WINDOW AND DOOR SUPPLIER. ARCHITECT SHALL BE PROVIDED WITH A COPY OF WINDOW AND DOOR ORDER TO REVIEW.

19. COORDINATE LANDSCAPE AND EXTERIOR HARDSCAPE WITH OWNERS. 20. ALL ELECTRICAL, PLUMBING AND MECHANICAL SHALL BE DESIGN BUILD UNLESS OTHERWISE INDICATED AND SHALL BE PERFORMED PER ALL APPLICABLE CODES.

21. COORDINATE WITH OWNER ON PROJECT PHASING SITE ACCESS, AND TEMPORARY UTILITIES. 22. CHANGES OR DEVIATIONS FROM THE PLANS MADE WITHOUT THE PERMISSION OF S.D. ARE NOT ALLOWED WITHOUT CONSULTATION AND SHALL RELIEVE S.D. FROM ALL RESPONSIBILITY FROM ANY CONSEQUENCES RESULTING FROM SUCH CHANGES. IF ANY QUESTIONS ARISE DURING THE PROJECT, PLEASE CONTACT S.D. OR STRUCTURAL ENGINEER PRIOR TO MOVING FORWARD WITH

23. UNLESS OTHERWISE INDICATED, PROVIDE ROUGHED IN DRAINAGE SYSTEM TO SUMP PIT UNDER ALL BASEMENT SLABS. ROUGH IN ELECT. POWER AS REQUIRED. 24. PROVIDE A ROUGHED IN RADON MITIGATION SYSTEM. PROVIDE A MIN. 4' LENGTH OF MIN. 3"

PERFORATED HORIZONTAL PVC PIPE CONNECTED TO A VERTICAL PVC PIPE RUN UP THROUGH AN INTERIOR WALL TO A MIN. OF 12" ABOVE ROOF. COVER PERFORATED PIPE WITH WASHED GRAVEL (UNDER SLAB CONDITION ONLY) AND A CONTINUOUS VAPOR RETARDER WITH 6" LAPPED/TAPED SEAMS AND RUN VAPOR RETARDER UP FOUNDATION WALL A MIN. OF 6". PROVIDE ROUGHED IN POWER FOR POSSIBLE FUTURE RADON EXHAUST FAN. IT IS THE OWNERS RESPONSIBILITY TO PERFORM A RADON TEST UPON JOB COMPLETION.

25. PROVIDE SMOKE DETECTORS AND CARBON MONOXIDE DETECTORS AS REQUIRED. 26. PROVIDE ATTIC VENTILATION PER IRC SECTION R806. PROVIDE NET FREE AREA OF 1/150, OR 1/300 IF VAPOR RETARDER IS INSTALLED UNDER GWB, OR 1/300 IF VENTS ARE SPLIT EQUALLY BETWEEN RIDGE AND SOFFITS.

27. PROVIDE DRAINS IN LIGHTWELLS CONNECTED TO SUMP PUMP OR SLOPE MIN. 1/4"/FT TO DAYLIGHT, FIELD VERIFY.

28. PROVIDE PAN AND DRAIN UNDER WASHING MACHINE. 29. PROVIDE CRAWLSPACE ACCESS, MIN 18" X 24" IN THE FLOOR, OR MIN. 16" X 24" IN A WALL

\*NOTE: SOME OF THESE NOTES MAY NOT BE APPLICABLE TO THE PROJECT

# INSULATION REQUIREMENTS PER TABLE IRC SECTION N1102. TABLE N1102.1 FENESTRATION U FACTOR: .30 MAX SKYLIGHTS U FACTOR: .43 MAX CEILING R VALUE: R54 MIN. NEW EXTERIOR FRAMED WALLS: MIN. R19/5 INSUL/SHEATHING\* EXISTING FRAMED WALLS WHERE THERMAL ENVELOPE IS EXPOSED TO BE AIRSEALED AND FILLED WITH INSULATION PER RESNET GRADE 1 STANDARDS FLOOR R VALUE: 42 MIN. SLAB EDGE R VALUE: R15 MIN., 3' DEEP MIN.\*\* FRAMED FLOOR R VALUE: R42 MIN. BASEMENT AND CRAWLSPACE WALLS: R15 MIN. IF CONTINUOUS INSUL., R20 MIN. IF FRAMED CAVITY IS INSULATED. MAX GLAZING TO FLOOR AREA RATIO: 18% (NEW CONSTRUCTION OR ADDITIONS ONLY) MAX AIR LEAKAGE: 3 ACH AT 50 PASCALS APPLIANCES (CLOTHES WASHER AND DISHWASHER) ENERGY STAR CERTIFIED (ONLY IF A SELECTED "RETROFIT MEASURE") LIGHTING FIXTURES: MIN. 80% CFL OR EQUAL INSULATION INSTALLED PER RESNET GRADE 1 STANDARDS NEW FURNACES AND BOILERS: 92% AFUE WITH ECM BLOWERS WATER HEATERS: .82 EF OR BETTER

\*R19 CAVITY PLUS R5 INSUL. SHEATHING.

CERTIFIED

\*\* ADD AN ADDITIONAL R10 TO THE REQUIRED SLAB EDGE FOR HEATED SLABS

NEW AND REPLACEMENT PLUMBING FIXTURES TO BE EPA WATER SENSE

BOULDER COUNTY 327.4 AND 327.5 IGNITION RESISTANT CONSTRUCTION: EXTERIOR WALLS TO BE IGNITION RESISTANT SIDING, HEAVY TIMBER, LOGS OR FIRE-RETARDANT TREATED WOOD. EXTERIOR TRIM NOT REQUIRED TO MEET THESE REQUIREMENTS. METAL GUTTERS AND DOWN SPOUTS W/ APPROVED MEANS OF PREVENTING DEBRIS ACCUMULATION CLASS A ROOF W/ METAL VALLEYS (WHEN APPLICABLE) SPARK ARRESTORS ON CHIMNEYS EAVES, FASCIAS AND SOFFITS CAN BE ANY MATERIAL PERMITTED BY THIS CODE EXCEPT VINYL OR PLASTIC DECK SURFACE TO BE NON-COM, DECK FRAMING TO BE 2X MATERIAL OR HEAVY TIMBER ATTIC VENTS TO HAVE METAL SCREENS W/ MAX. 1/8" OPENINGS. EACH VENT TO BE MAX 144 SQ IN. OF VENT

2" THICK 3/4" DIAM GRAVEL OVER WEED BARRIER REQUIRED TO 3' PAST THE EXTERIOR WALLS AND 2' PAST DRIP LINE OF DECKS, BAY WINDOWS, AND OTHER EAVES AND OVERHANGS. METAL DRIP EDGE REQUIRED AT ROOF EDGE SO NO SHEATHING IS EXPOSED

NO UNREINFORCED VINYL WINDOWS ALLOWED IN ZONE 1 (MOUNTAINS)

NOTE: SEE BOULDER COUNTY CODE AMENDMENTS FOR ADDITIONAL DETAILS

NOTE: SPRINKLER SYSTEM REQUIRED FOR NEW CONSTRUCTION, SEPARATE PERMIT REQUIRED

FIREBLOCKING NOTES:
PROVIDE FIREBLOCKING IN THE FOLLOWING LOCATIONS:

1. IN CONCEALED SPACES OF STUD WALLS INCLUDING FURRED SPACES AND PARALLEL ROWS OF STUDS AS FOLLOWS: 1.1. VERTICALLY AT THE CEILING AND FLOOR

LEVELS 1.2 HORIZONTALLY AT INTERVALS NOT EXCEEDING 10' 2. AT INTERCONNECTIONS BETWEEN CONCEALED VERTICAL AND HORIZONTAL SPACES SUCH AS

OCCUR AT SOFFITS, DROP CEILINGS AND COVE 3. IN CONCEALED SPACES BETWEEN STAIR STRINGERS AT THE TOP AND BOT. OF THE RUN. ENCLOSED SPACES UNDER STAIRS SHALL COMPLY WITH SECTION R302.7. 4. AT THE OPENINGS AROUND VENTS, PIPES, DUCTS, CABLES AND WIRES AT CEILING AND FLOOR LEVEL, WITH AN APPROVED MATERIAL TO RESIST THE FREE PASSAGE OF FLAME AND PRODUCTS OF COMBUSTION. THE MATERIAL FILLING THIS ANNULAR SPACE SHALL NOT BE REQUIRED TO MEET THE ASTM E 136 REQUIREMENTS. 5. FOR THE FIREBLOCKING OF CHIMNEYS AND FIREPLACES SEE R1003.19.

A13

FLASHING NOTES:
PROVIDE CORROSION RESISTANT FLASHING AT THE FOLLOWING LOCATIONS: 1. AT THE TOP OF ALL EXTERIOR DOOR AND WINDOW OPENINGS 2. AT THE INTERSECTION OF CHIMNEY WITH FRAME OR STUCCO WALLS 3. UNDER AND AT THE ENDS OF MASONRY, WOOD OR METAL COPINGS AND SILLS. 4. WHERE EXTERIOR PORCHES, DECKS OR STAIRS ATTACH TO A WOOD FRAME WALL OR

5. AT WALL AND ROOF INTERSECTIONS

FLOOR ASSEMBLY

6. AT BUILT IN GUTTERS

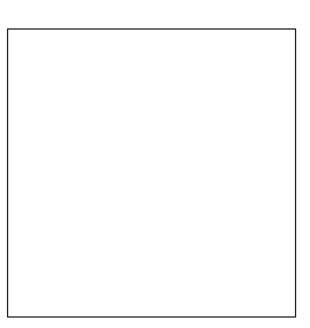
# STEVENSON

DESIGNS 3013 LEE HILL DRIVE BOULDER, CO 80302 303-447-0774

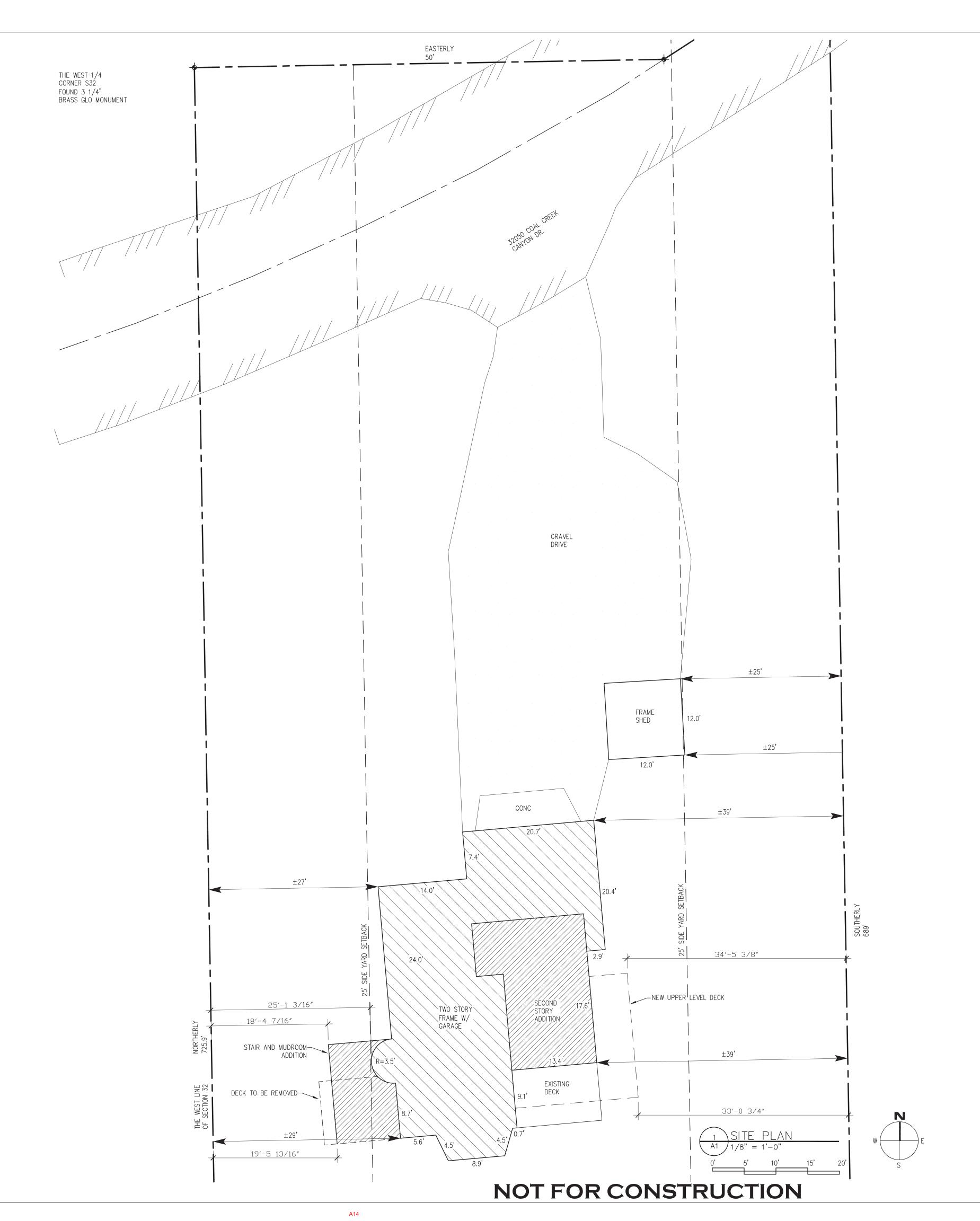
GUY@ **GUYSTEVENSON** DESIGNS.COM

VERIFY ALL DIMENSIONS PRIOR TO START OF WORK. DO NOT SCALE DRAWINGS, IMMEDIATELY NOTIFY DESIGNER OF ANY DISCREPANCIE OR DEVIATIONS FROM THE DRAWINGS. ENGINEER'S DRAWINGS TAKE PRECEDENCE OVER STEVENSON DESIGNS DRAWINGS. LARGE SCALE DRAWINGS TAKE PRECEDENCE OVER SMALL SCALE DRAWINGS INSTALL ALL MATERIALS AND EQUIP. PER MANUFACTURER'S DIRECTION, ALL WORK TO COMPLY WITH ALL APPLICABLE CODES.

207



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STEVENSON
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1.1

ADDITION AND REMODEL
32050 COAL CREEK CANYON
GOLDEN, CO 80403

REVISIONS

NO. DATE DESCRIPTION

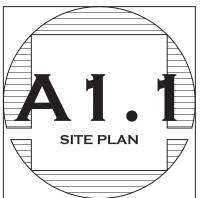
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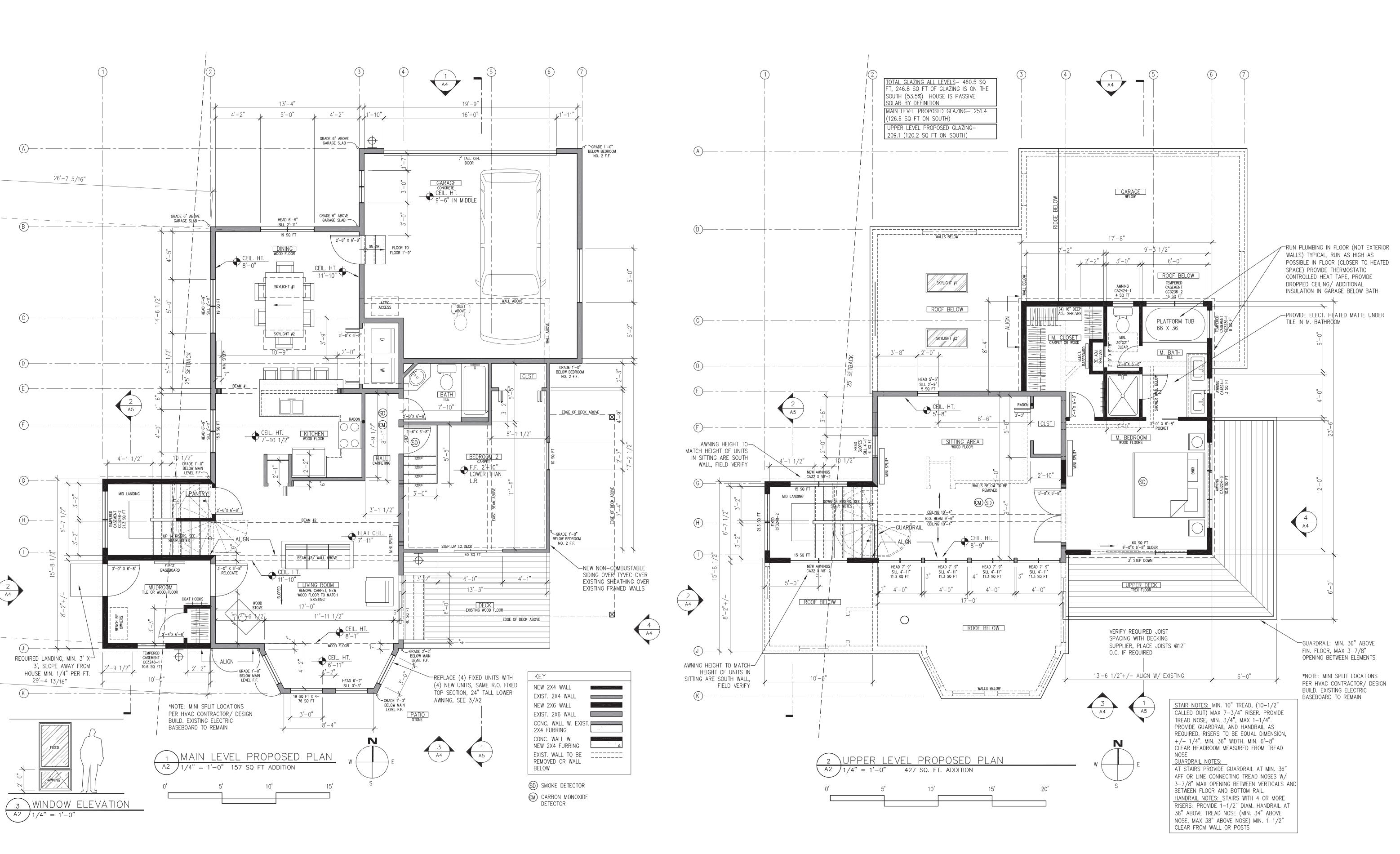
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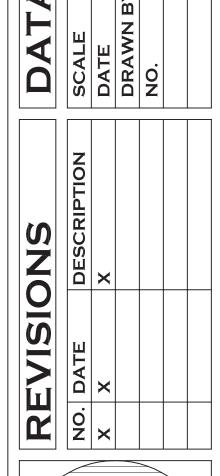
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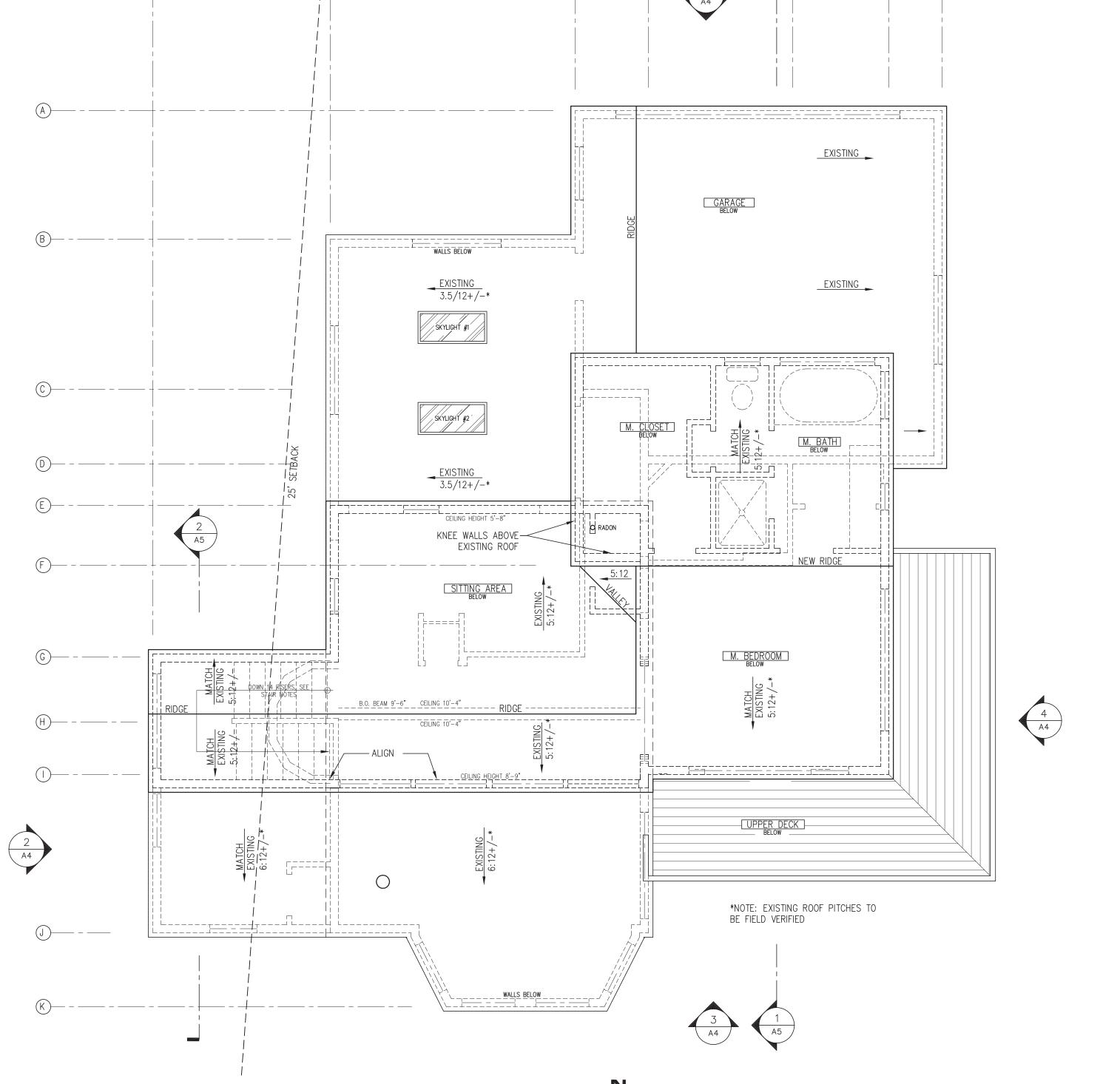
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ADDITION AND REMODEL
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GOLDEN, CO 80403





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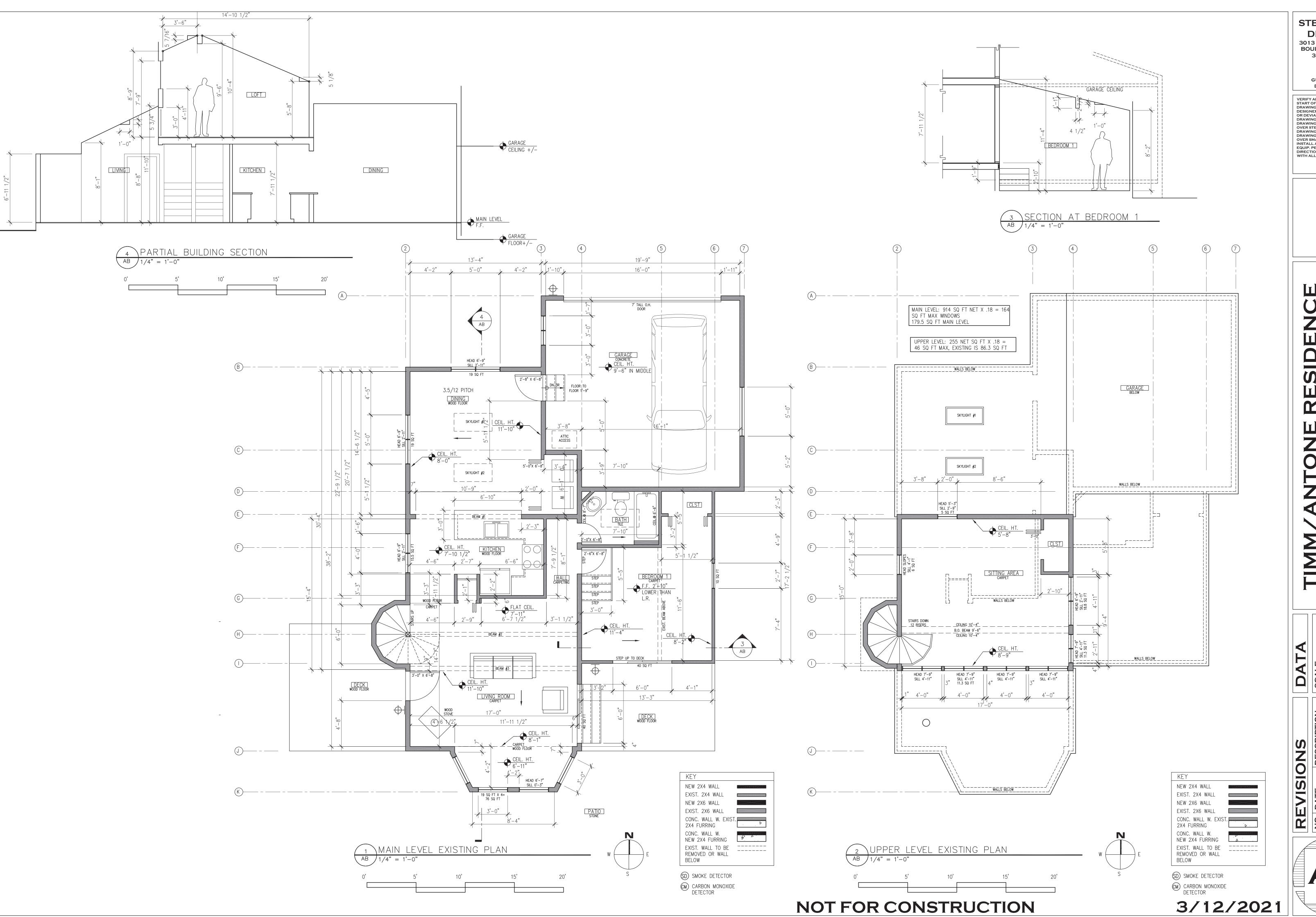
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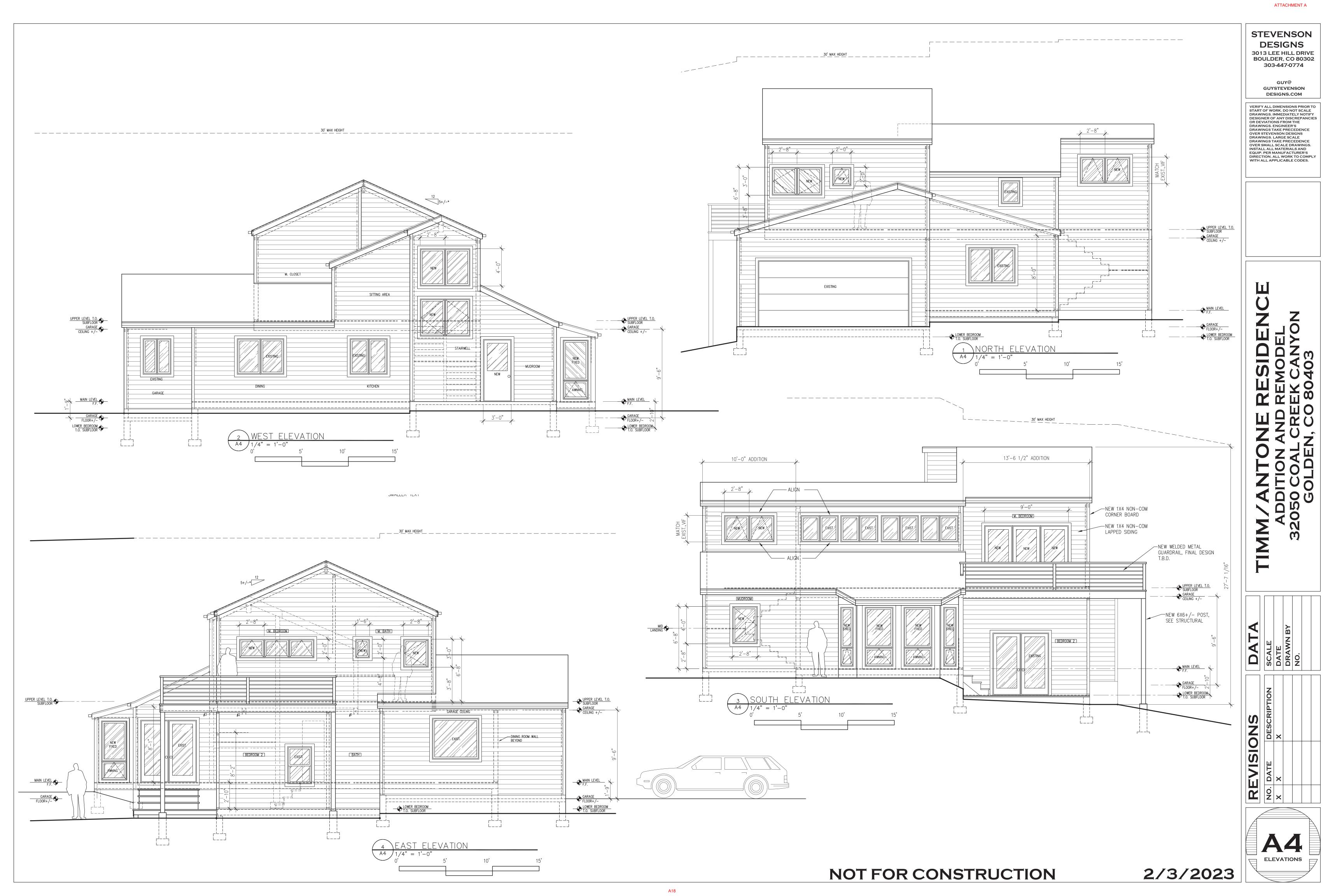
REVISIONS

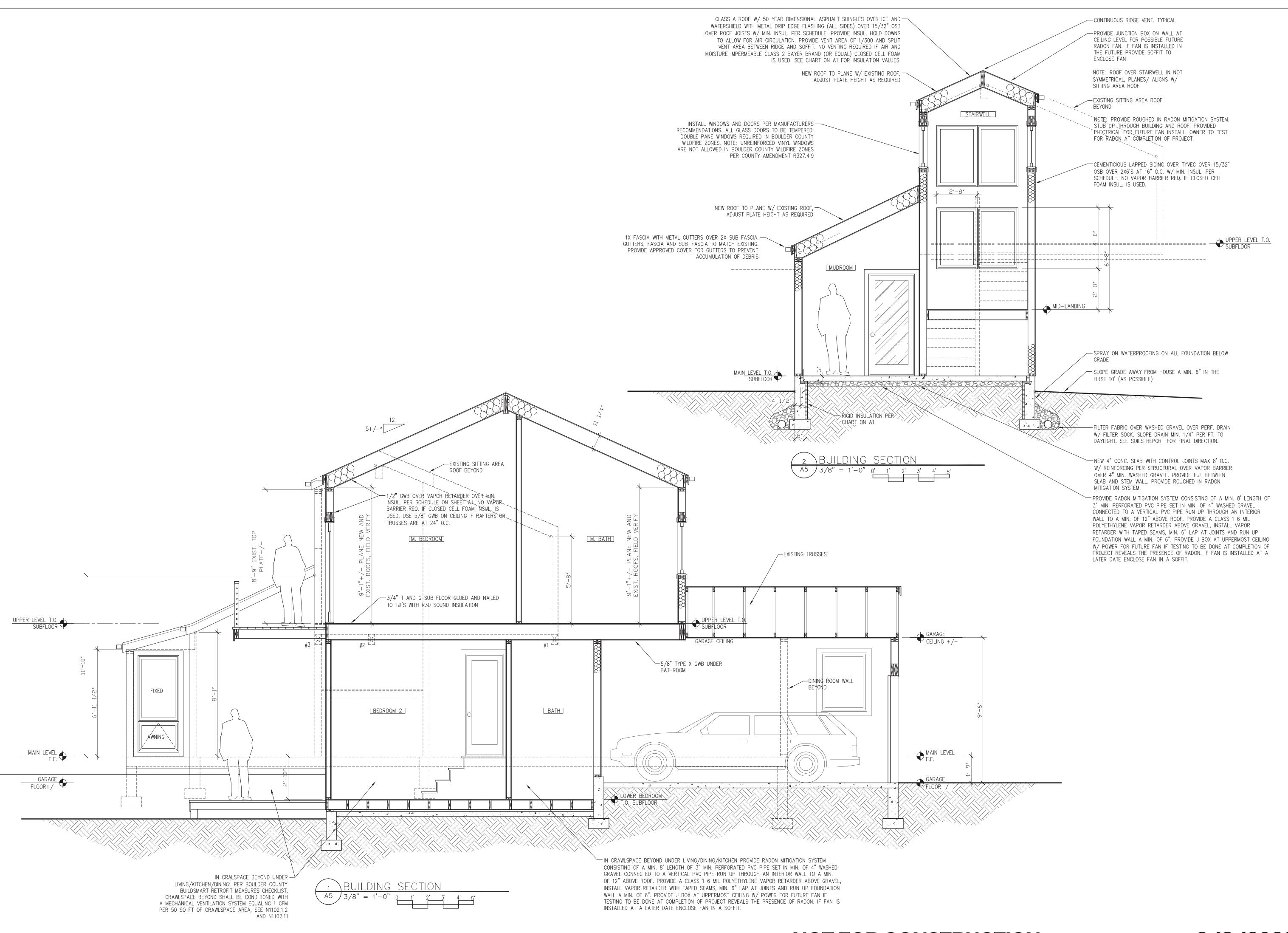
NO. DATE | PF?

A16



A17





**STEVENSON** 

**DESIGNS** 3013 LEE HILL DRIVE BOULDER, CO 80302 303-447-0774

> GUY@ **GUYSTEVENSON DESIGNS.COM**

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RE







# Walker, Samuel

**From:** Carden, Timothy

Sent: Tuesday, February 14, 2023 1:36 PM

To: Walker, Samuel

**Cc:** Northrup, Elizabeth (Liz)

**Subject:** RE: Referral packet for VAR-23-0002: Stevenson Variance at 32050 Coal Creek Canyon Drive

Hello Sam,

Thank you for the opportunity to review VAR-23-0002. I have completed my review of the referral packet and as proposed this project should not impact the conservation values of the nearby Forbes conservation easement.

Best,

Tim Carden | Conservation Easement Stewardship Specialist
Boulder County Parks & Open Space
Pronouns: he/him/his
5201 St. Vrain Road
Longmont, CO 80503
303-413-7533 (office)
tcarden@bouldercounty.org
Boulder County Open Space Website



New: Boulder County has a new website: BoulderCounty.gov! Bookmark it today. Email addresses will transition at a later date.

From: Goldstein, Andrew <agoldstein@bouldercounty.org>

**Sent:** Monday, February 13, 2023 11:45 AM

To: #WildfireMitigation < WildfireMitigation@bouldercounty.org>; #AssessorReferral

<AssessorReferral@bouldercounty.org>; #CEreferral <CEreferral@bouldercounty.org>; Stadele, Lee

<leestadele@bouldercounty.org>; Stadele, Lee <leestadele@flagstaffsurveying.com>; cccia80403@gmail.com; John
Baich <John@the642.com>; platreferral@unitedpower.com; mschuste@jeffco.us; dhorn@co.gilpin.co.us; Vanessa
McCracken <bldrvalleyandlongmontcds@gmail.com>; richard.solomon@state.co.us; admin@coalcreekcanyonfd.org;
Atherton-Wood, Justin <jatherton-wood@bouldercounty.org>; Milner, Anna <amilner@bouldercounty.org>; Moline,

Jeffrey <jmoline@bouldercounty.org>; Abner, Ethan <eabner@bouldercounty.org>; Hippely, Hannah <hhippely@bouldercounty.org>; Sheehan, Jack <jsheehan@bouldercounty.org>; Vaughn, Andrea

<avaughn@bouldercounty.org>; Cavaleri, Keli <kcavaleri@bouldercounty.org>; Flax, Ron <rflax@bouldercounty.org>;

 $Frederick, Summer < sfrederick@bouldercounty.org >; HealthWaterQuality-EnvironmentalBP\ LU\ < HealthWQ-InvironmentalBP\ LU\$ 

EnvironBPLU@bouldercounty.org>; Huebner, Michelle <mhuebner@bouldercounty.org>; Sanchez, Kimberly

<ksanchez@bouldercounty.org>; Transportation Development Review <TransDevReview@bouldercounty.org>; West,
Ron <rowest@bouldercounty.org>

Cc: Walker, Samuel <swalker@bouldercounty.org>

Subject: Referral packet for VAR-23-0002: Stevenson Variance at 32050 Coal Creek Canyon Drive

Please find attached the referral packet for VAR-23-0002: Stevenson Variance at 32050 Coal Creek Canyon Drive.

Please return responses and direct any questions to <u>Sam Walker</u> by <u>February 28</u>, <u>2023</u>. (Boulder County internal departments and agencies: Please attach the referral comments in Accela.)

All the best,

Andrew Goldstein (pronouns: he/him/his) | Administrative Technician

Planning Division | Boulder County Community Planning & Permitting

P.O. Box 471, Boulder, CO 80306 | Courthouse Annex—2045 13th St., Boulder, CO 80302

agoldstein@bouldercounty.org | (303) 441-3930 | www.boco.org/cpp

My usual working hours are Monday-Thursday, 7:00 a.m.-5:30 p.m.





# Parks & Open Space

5201 St. Vrain Road • Longmont, CO 80503 303-678-6200 • POSinfo@bouldercounty.org www.BoulderCountyOpenSpace.org

**TO:** Sam Walker, Community Planning & Permitting Department

**FROM:** Ron West, Natural Resource Planner

**DATE:** February 28, 2023

SUBJECT: Docket VAR-23-0002, Stevenson, 32050 Coal Creek Canyon Drive

Staff has no natural resource concerns with the proposal.



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# Wildfire Mitigation Team

# **MEMO**

TO: Sam Walker, Planner II

**FROM:** Kyle McCatty, Wildfire Mitigation Specialist

**DATE:** March 1, 2023

RE: Referral packet for VAR-23-0002: Stevenson Variance at 32050 Coal

Creek Canyon Drive

Thank you for the referral. We have the following comments for the applicants:

Decades of catastrophic wildfires, research, and case studies have shown that extreme wildfires are inevitable in the forests of Boulder County and across the Western US. Still, the loss of life and homes does not have to be inevitable. The conditions that principally determine if a house ignites occur within 100 feet of the house, including the house itself. That is why Boulder County has such strong wildfire mitigation requirements in our Land Use and Building Code. Boulder County encourages all homeowners to voluntarily take responsibility to mitigate their own home's risk of igniting in a wildfire through Wildfire Partners.

Wildfire Mitigation is required; the proposed project is in <u>Wildfire Zone 1</u> (the foothills or mountains—approximately west of highways 7, 36, or 93) of the unincorporated portion of Boulder County. The Boulder County Wildfire Mitigation requirements are composed of site location, ignition-resistant materials and construction, defensible space, emergency water supply, and emergency vehicle access.

### **Site Location**

A Boulder County Wildfire Mitigation Specialist has reviewed the site location as part of the Variance process. The greatest risk of loss of life and property from a wildfire associated with the proposed variance is the distance between the proposed "stair and mudroom addition" and the western property line.

Ideally, all structures should be located as far from property lines as possible to maximize full defensible space—at least 100 feet, especially in the direction of prevailing winds. Generally, at least 25-30 feet are required between a new structure and a property line so that minimally effective defensible space can be created and maintained. However, although far from ideal, the Wildfire Mitigation Team can support the project as proposed if increased ignition resistant materials are required for the "stair and mudroom addition" because of the relatively moderate wildfire fuel loading within 100 feet of the addition that Copperdale Lane and the business to the west creates.

Claire Levy County Commissioner

Marta Loachamin County Commissioner

Ashley Stolzmann County Commissioner

### **Ignition-Resistant Materials and Construction**

Since the proposed development is located within a potentially hazardous area, all exterior building materials (including any proposed decking) must be ignition-resistant construction or better. Because of the wildfire mitigation risks associated with the site location, the following more restrictive increased ignition-resistant exterior materials are required for the "stair and mudroom addition":

- Double pane tempered glass is required.
- Wood and fire-retardant-treated wood are not allowed.
- Heavy timber (IBC Section 602.4) and log wall construction (see definition in R327) are allowed.
- If applicable, deck surface must be an ASTM E84 (UL 723) flame-spread index no greater than 75.

Additional requirements may exist if the proposed project goes through site plan review. For additional ignition-resistant construction information, please contact the Building Safety & Inspection Services Team at 303-441-3926. Refer to the Boulder County publication: <u>Building with Ignition Resistant Materials</u> for specific requirements. All exterior materials must be clearly noted on the building plans and must be reviewed and approved as "ignition resistant" by the Building Safety & Inspection Services Team.

# **Defensible Space**

Adequate defensible space is required to prevent the spread of fire to and from the structure. This requires limbing and/or removal of trees and shrubs to provide necessary vertical and horizontal fuel separation within a minimum of 100 ft. from the home and within 30 ft. along both sides of a driveway. Where the property boundary limits Zone 2 (at least 100 feet from structures), Zone 1 (a buffer of at least 30 feet free of conifer trees and other highly combustible vegetation immediately surrounding the home, including all attachments and accessory structures within 30 feet) may need to begin at the home's dripline. More information can be found by referring to the Colorado State Forest Service publication *Protecting Your Home from Wildfire: Creating Wildfire-Defensible Zones – 2012 Quick Guide*.

Follow the Colorado State University <u>FireWise Plant Materials – 6.305</u>, <u>Fire-Resistant Landscaping – 6.303</u>, and Colorado State Forest Service <u>Protecting Your Home from Wildfire: Creating Wildfire-Defensible Zones – 2012 Quick Guide</u> publications when choosing plants and designing revegetation and landscaping.

# **Emergency Water Supply**

Emergency water supply is currently only required when building a new residence. No emergency water supply will be required for this application.

# **Emergency Vehicle Clearance**

Emergency vehicle clearance is required to allow for safe ingress and egress of emergency vehicles. Emergency personnel try their best to respond to calls in a timely manner, often while negotiating difficult terrain. Planning for access by emergency vehicles improves safety for homeowners and their families by providing for a more efficient response by firefighters and other emergency personnel arriving on the scene. This is especially important in rural and mountainous areas where response times may be considerably longer than in cities, where emergency services are closer by. Refer to the Boulder County publication: <a href="Driveway Access for Emergency Vehicles">Driveway Access for Emergency Vehicles</a> for specific clearance-related requirements.

### Timeline

After applying for, but prior to issuance of any permits, a Boulder County Wildfire Mitigation Specialist will contact you to schedule a Wildfire Partners or Regulatory Wildfire Mitigation assessment and defensible space marking. Based upon the compliance path selected, either a Wildfire Partners Assessment report or a Wildfire Mitigation Plan will be created to describe the wildfire mitigation requirements.

**Before scheduling rough framing inspections,** the plan's defensible space portion must be implemented and inspected by the Community Planning & Permitting Department. All trees marked for removal must be cut, and all slash, cuttings, and debris must be removed and/or properly disposed of.

At the time of final inspection, all remaining required items in the Wildfire Partners Assessment report or the Wildfire Mitigation Plan are to be fully implemented and inspected. Ground surfaces within three feet of both existing and new structures, and at least 2 feet beyond the driplines of decks, bay windows, and other eaves and overhangs, must be covered with an allowable non-combustible ground cover over a weed barrier material. The driveway vertical and horizontal vegetation clearance must be in place and conform to the Parcel Access Design Standards in the Boulder County Multimodal Transportation Standards.

If the applicants should have questions or need additional information, we'd be happy to work with them toward solutions that meet minimum land use and building code requirements. I can be reached at 720-564-2625 or via e-mail at kmccatty@bouldercounty.org.



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### **Building Safety & Inspection Services Team**

### M E M O

TO: Sam Walker, Planner II

FROM: Michelle Huebner, Plans Examiner Supervisor

DATE: February 15, 2023

RE: Referral Response, VAR-23-0002: Stevenson Variance. Variance request to reduce the required side-yard setback from 25 feet (required) to 18 feet (proposed).

Location: 32050 Coal Creek Canyon Drive (aka SH72)

Thank you for the referral. We have the following comments for the applicants:

1. Building Permit. A building permit, plan review, and inspection approvals are required for the proposed addition.

Please refer to the county's <u>adopted 2015 editions of the International Codes and code amendments</u>, which can be found via the internet under the link:

**2015** Building Code Adoption & Amendments, at the following URL: <a href="https://assets.bouldercounty.org/wp-content/uploads/2017/03/building-code-2015.pdf">https://assets.bouldercounty.org/wp-content/uploads/2017/03/building-code-2015.pdf</a>

- 2. BuildSmart. Please refer to the county's adoption and amendments to Chapter 11 of the IRC, the county's "BuildSmart" program, for the applicable requirements for energy conservation and sustainability for residential additions and new residential buildings. Please be aware that there are energy related requirements of this code that may require the use of renewable energy systems (such as rooftop solar systems) that will also need to be approved by your electric utility provider. In some cases, there may be limitations on the size of on-site systems allowed by your utility provider that could constrain the project design. We strongly encourage discussions between the design team and the utility company as early in the process as possible in order to identify these constraints.
- 3. **Design Wind and Snow Loads.** The design wind and ground snow loads for the property are 170 mph (Vult) and 50 psf, respectively.
- 4. **Ignition-Resistant Construction and Defensible Space.** Please refer to Section R327 of the Boulder County Building Code for wildfire hazard mitigation requirements, including ignition-resistant construction and defensible space.

5. Plan Review. The items listed above are a general summary of some of the county's building code requirements. A much more detailed plan review will be performed at the time of building permit application, when full details are available for review, to assure that all applicable minimum building codes requirements are to be met. Our Residential Plan Check List and other Building Safety publications can be found at: <a href="https://assets.bouldercounty.org/wp-content/uploads/2017/03/b24-residential-plan-check-list.pdf">https://assets.bouldercounty.org/wp-content/uploads/2017/03/b24-residential-plan-check-list.pdf</a>

If the applicants should have questions or need additional information, we'd be happy to work with them toward solutions that meet minimum building code requirements. Please call (720) 564-2640 or contact us via e-mail at <a href="mailto:building@bouldercounty.org">building@bouldercounty.org</a>



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February 27, 2023

TO: Sam Walker, Planner II; Community Planning & Permitting, Development Review

FROM: Ian Brighton, Planner II; Community Planning & Permitting, Access & Engineering

SUBJECT: Docket VAR-23-0002: Stevenson Variance

32050 Coal Creek Canyon Drive

The Development Review Team – Access & Engineering staff has reviewed the above referenced docket and has the following comments:

- 1. The subject property is accessed via State Highway 72 (SH72), also known as Coal Creek Canyon Drive, a Colorado Department of Transportation (CDOT) owned and maintained right-of-way (ROW). Legal access has been demonstrated via adjacency to this public ROW.
- 2. No site improvements have been proposed as part of the Variance Request. Future improvements to the access drive may require a Land Use review process.
- 3. Staff has reviewed the prosed variance and has no concerns.

This concludes comments our comments at this time.