

## Staff Report

To: BOZAR  
From: Jessie Earley, Senior Planner  
Meeting Date: DRC, February 17, 2026 (Tuesday)  
RE: 5 Seventh Street (Roberts), Preliminary Review

### **PROJECT TITLE:** Roberts (5 Seventh Street)

**SUMMARY:** Consideration of the application of **Morgan Harcrow Roberts** to site additions to the existing single-family residence and accessory building located at 5 Seventh Street, South ½ of Lots 1, 2, and 3 and the East 5 feet of the South ½ of Lot 4, Block 53, in the R4 zone. (Hadley)

**- Architectural approval is required.**

**LEGAL DESCRIPTION:** South ½ of Lots 1, 2, and 3 and the East 5 feet of the South ½ of Lot 4, Block 53

**ADDRESS:** 5 Seventh Street

**ZONE DISTRICT:** R4

**OWNER:** Morgan Harcrow Roberts

**APPLICANT:** Andrew Hadley

**DRC MEMBERS:** Spann Labato and Schmidt (2/17/2026, Tuesday)

**STAFF MEMBER:** Jessie Earley, Planner III

### **ATTACHMENTS:**

1. Plans
2. Materials list
3. Materials sheet
4. Section 16-4-880 through 16-4-940 (R4 zone)
5. Section 16-14-190 (demolition)

These packet materials are available at this [link](#). Staff can provide paper copies of the packet upon request.

### **PROJECT DESCRIPTION**

1. Construct additions to the existing single-family residence.



### **PUBLIC NOTICE**

**This item was properly noticed per Section 16-22-110 (c). The affidavit of posting is on file in the Community Development Department.**

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**I. Background/Overview:** Andrew Hadley submitted an application on behalf of Morgan Roberts for additions to the existing single-family residence.



1

NORTH EAST  
PRERSPECTIVE

2

**II.**

**Context:** Refer to guidelines 4.25-4.26. The neighborhood contains a mix of small 1 ½ story and two-story homes. The roof forms are relatively simple. Consider whether the forms and style of the additions will relate with the existing forms found within context and style of the neighborhood or if they will appear excessively dissimilar.

The Board should determine whether the overall scale and forms of the residence comply with the intents 4.25 and 4.26 (excessively similar or dissimilar) in relation to the neighborhood context.

GL	Staff Analysis	DRC Recommendation
4.25 Excessive similarity	The forms differentiate from the newer residences located in the 600 block of Teocalli Avenue and 0 block of Seventh Street per context GL 4.25.	
4.26 Excessive dissimilarity	<p>Discussion is encouraged to determine if the additions, as proposed, are contemporary interpretations and variety or if the proposal is excessively dissimilar. Staff finds that the connection of the primary building with the accessory building appears dissimilar with the long shed. A pitch break would be encouraged as an alternative.</p> <p>The proposed pitch of the roof at 6:12 adds mass to the building, which was before a small diminutive structure. Discussion is encouraged to determine if</p>	



	<p>the roof is being removed if a 6:12 can still be supported.</p> <p>GL 4.46 and 4.47 discuss dormers and Staff asks for discussion on the two different gable dormer styles, as proposed.</p>	
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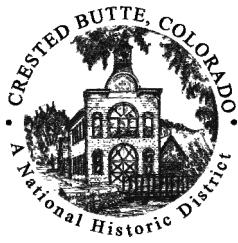
**Existing South Elevation**



Existing East Elevation



Existing West Elevation



(2) EXISTING STREETSCAPE 7TH STREET LOOKING WEST

**Existing Streetscape**



(1) PROPOSED STREETSCAPE 7TH STREET LOOKING WEST

**Proposed Streetscape**

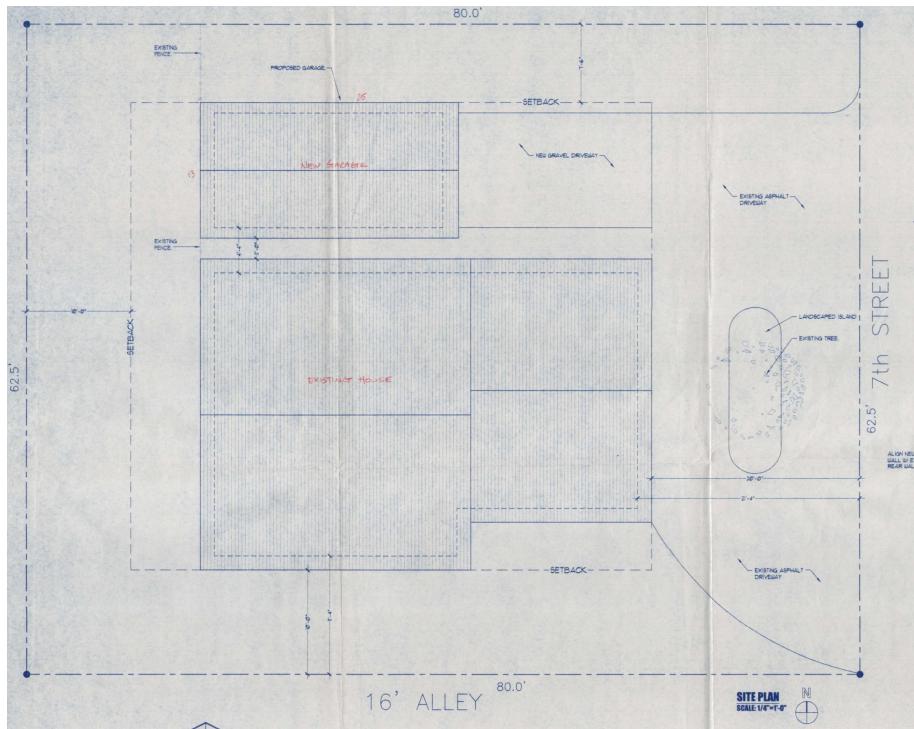
**I. Land Use Code Review:**

**a. Residential Zone District (R4) (Sec. 16-4-880-16-4-940)**

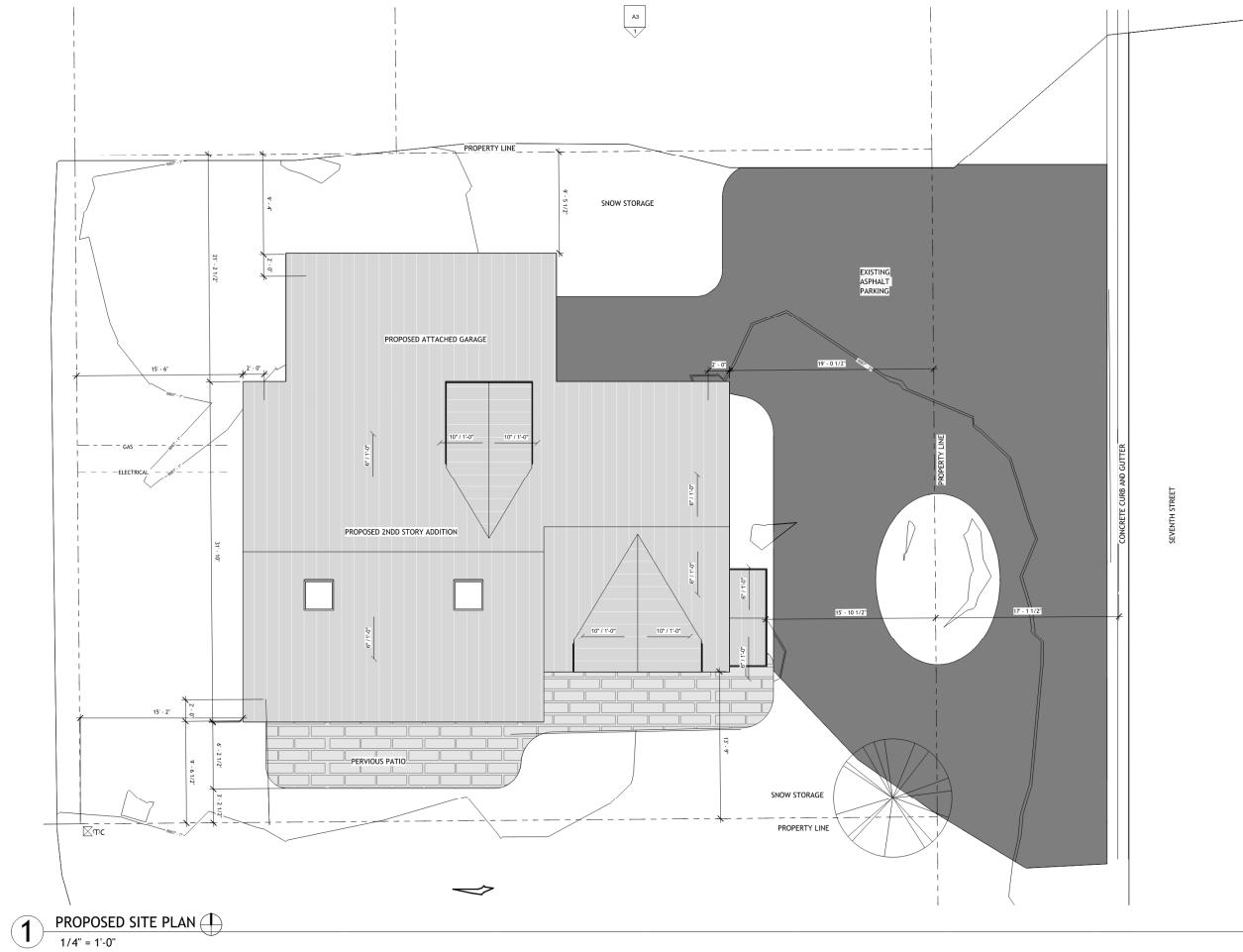
Dimensional Limitations	Required by Chapter 16	Proposed	Compliant
Minimum Lot Width:	50'	62'3"	Yes
Maximum Lot Area:	9375	5000	Yes
Minimum Lot Area:	5000	5000	Yes
# Dwellings:		1	Yes
<b>Minimum Setbacks:</b>			
Principal: Front (east):	20'	20" (existing) 15'9" (proposed)	No
Principal: Side Yard (south):	7'6"-11'6"	10" (existing) 9'4" (proposed, two story elements)	No
Principal: Side Yard (north):	7'6"-11'6"	22'6" (existing) 9'4" (proposed, attached garage one story)	Yes
Principal: Rear:	10' (Principal) 5' (Accessory)	16'8" (existing) 15'6" (proposed)	Yes
Accessory Building: Side Yard (north)	7'6"-11'6"	7'6" (existing)	Yes



Accessory Building: Side Yard (south)	7'6"-11'6"	4'4"	No, but grandfathered as it exists.
Accessory Building: Rear Yard (west)	10' (Principal) 5' (Accessory)	16'8"	Yes
Max FAR - Primary:	Two-family dwelling unit: 0.3 as a matter of right up to 0.5, depending on neighborhood context and lot size. All buildings on the lot: 0.5.  <b>2500 sf maximum based upon the PUD and RCA</b>	1065.54/5000 sf – existing 2132.6 sf /5000 sf - proposed	No
Max FAR- All Buildings:	Two-family dwelling unit: 0.3 as a matter of right up to 0.5, depending on neighborhood context and lot size. All buildings on the lot: 0.5.  <b>2500 sf maximum based upon the PUD and RCA</b>	1065.54 + 242/5000 sf – existing	Yes
Height:	30' /20'/ 24'	16'6" (existing, primary) 22'5" (proposed addition)  12'8" (existing accessory building)	Yes
Roof Pitch	Minimum of 4:12. A portion of flat roof may be considered for multi-family dwellings with five (5) or more units.	6:12 existing primary roof pitches, proposed primary roof pitches 6:12 secondary shed roof 10:12 north/south gable dormers	Yes
Width	NA	27'4" (existing) 39'9" (proposed)	Yes
Snow Storage	>33%	31%	No, clarify areas
Parking	2 spaces	--	None shown



**Existing Site Plan**



## Proposed site plan

**b. Demolition (Section 16-14-190)**

A demolition plan is needed to confirm that the areas of demolition are less than 25% ,as required in Section 16-14-190 (5) a.

## II. Design GL Analysis

## Purpose for the R4 District:

The R4 zone provides for higher unit density and floor area ratio than any other residential district in Town. The Goals for the R4 District, states:

- To continue to accommodate the variety of housing types that is allowed in this zone.
- To allow greater design flexibility because no immediate historic context exists for new building. This is appropriate in terms of the degree to which new buildings should relate to the historic core of Town.



- In a broad sense, to have new development be visually related to the rest of Town. At the edges of the R4 districts buildings should have a greater sensitivity to the lower scale development found in adjacent zones.
- Special Attention should be given to parking and snow storage on higher density projects.

a. **Site planning:** Refer to GL: 2.16-2.40, 3.1-3.2, 5.108-5.112.

GL	Staff Analysis	DRC Recommendation
Topography	Topography lines have been included. The bulk of the lot is 8867'1". The elevations note average grade as 8867'6", which is not correct per the site plan. 8867'1" would be the value used for measuring FAR.	
2.8 Drainage	Drainage information has not been provided, but must be.	
Easements	None noted.	
2.16 Substantial landscaping	The plan is fairly minimal. Provision of a final landscape plan will be required for review and approval if revisions are proposed after permitting prior to a CO.	
2.18 Preservation of existing trees	The site plan must include information about the existing trees on the site that will be maintained. One tree is shown on the site plan on the southeast corner. In the photos, there appears to be a tree on both the northeast and southeast corner.	
2.19 New trees	Clarification about existing versus proposed trees which meets the intents of GL 2.19 a.	
2.16 a/ 2.20 Native plantings	Ground cover has not been noted and is encouraged to be native grasses by the GL.	
2.16 e Pervious materials 2.28 e &f Parking substrate	The existing parking on the east is asphalt (1063.7 sf). Parking spaces must be called out on the site plan/floor plans.  There is a paver patio proposed on the south side of the home (366 sf).  The proposal for hardscape is relational to other approvals.	
(2.37-2.40)/ 16-17-40 Exterior Lighting	Exterior lighting has not been called out, but must be to ensure compliance with the night sky ordinance. Any existing exterior fixtures must be replaced if they do not meet current standards as well.	
Solar 2.10	NA	
Utilities	Utility lines for wastewater, water, electric and gas have not been noted on the existing plan, but must be.  Adjacent rights of way must be included to scale, which include Seventh Street	



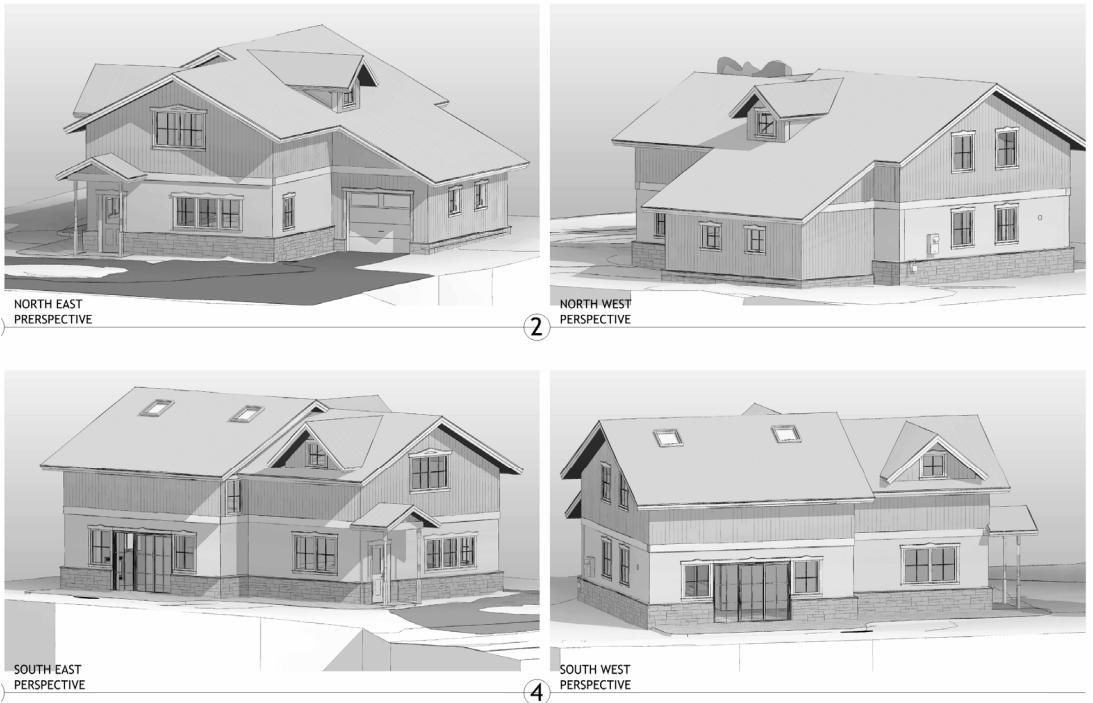
	and the alley.	
2.7 Snow Storage	Snow storage has been provided onsite, but does not appear to meet the 33% requirement of the areas to be plowed. These areas should be delineated to ensure the proper amount has been allocated.	
2.25 Fences	NA	

a. **Mass/Scale/ Form:** Refer to guidelines \*4.32-4.34

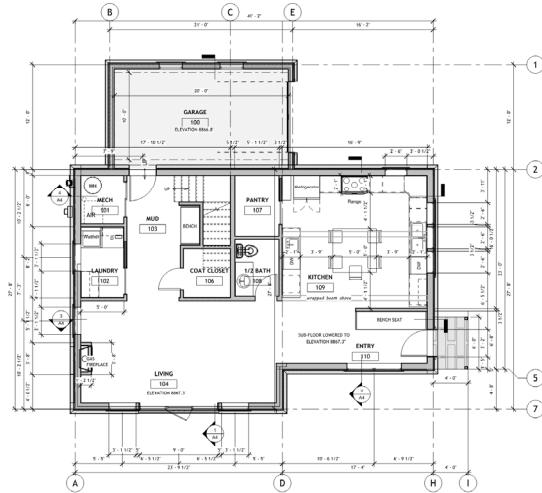
The existing building has a gable perpendicular to Seventh Street Avenue, which is 16'6" in height. This steps down to a smaller gable, which is 15'3" in height. The accessory is separated from the primary building by 4'4" wall to wall in the existing layout. The existing pitches are 6:12.

The addition will propose to remove the roof from the existing building and increase the height of the main gable module to 22'5". Then, the secondary gable will have a height of 21'3". Then, in an effort to attach the garage to the primary building, there is a shed roof to the north. There are two gable dormers proposed for each of the sides (north/south). The proposed roof pitches are 6:12 for primary roofs with 10:12 roofs for the dormers.

GL	Staff Analysis	DRC Recommendation
4.32 Scale	This addition relates to the overall scale of the neighborhood. Support	
4.33 Diversity of form	<p>The main roof form for the addition will continue the 6:12 pitch of the existing roof form, which appears to comply. Support</p> <p>However, the extension of the roof to the north appears dissimilar and a break in the pitches is encouraged to prevent an asymmetrical roof.</p>	
4.34 Massing	<p>The proposed addition is rectangular as required in the GL. Support.</p> <p>The primary module would be the secondary module, as noted, which is supported by GL 4.34 b.</p> <p>As stated above and in GL 4.34 e, the subordinate module of the garage should be offset with its roof to prevent an asymmetrical roof.</p>	

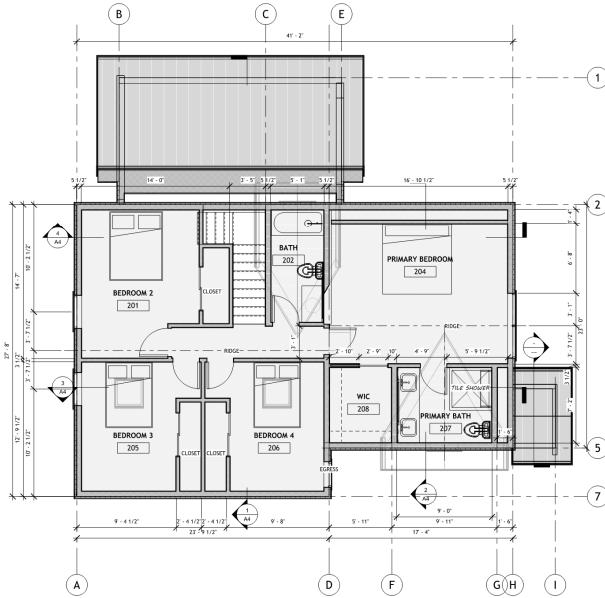


### *Existing – first floor plan*



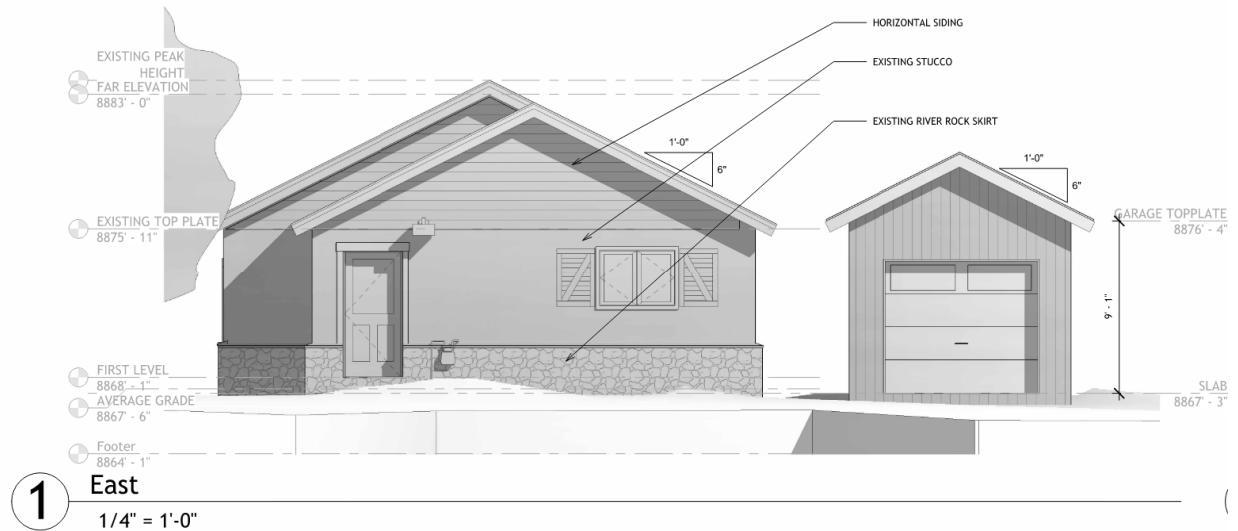
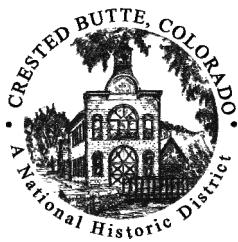
① 1ST LEVEL

*Proposed – First floor plan*

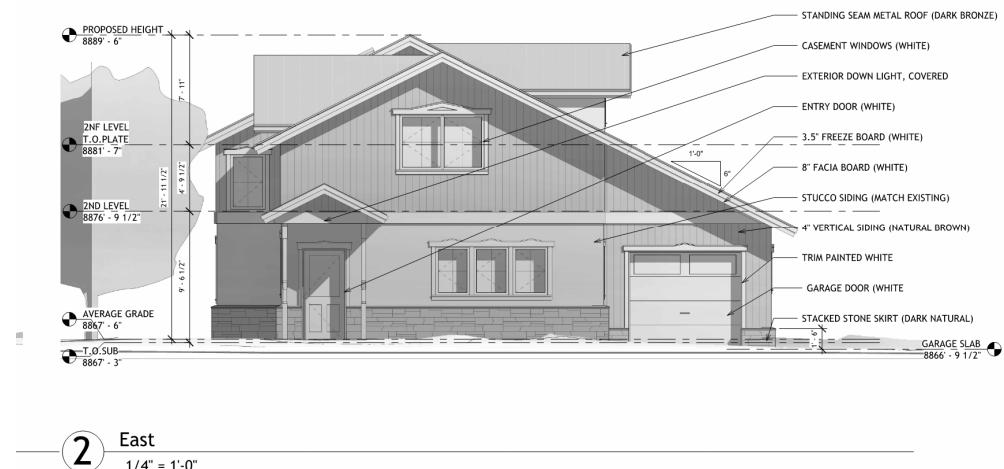


② 2ND LEVEL

*Proposed – Second floor plan*



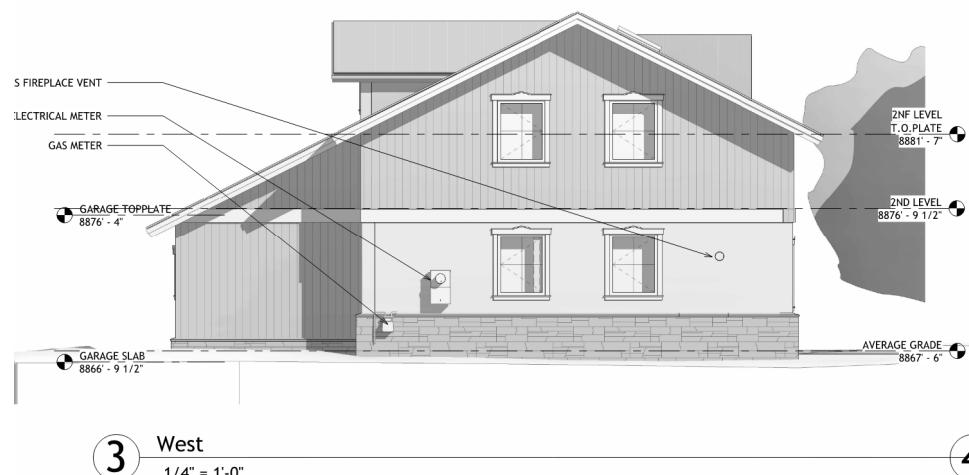
*Existing – east elevation (front)*



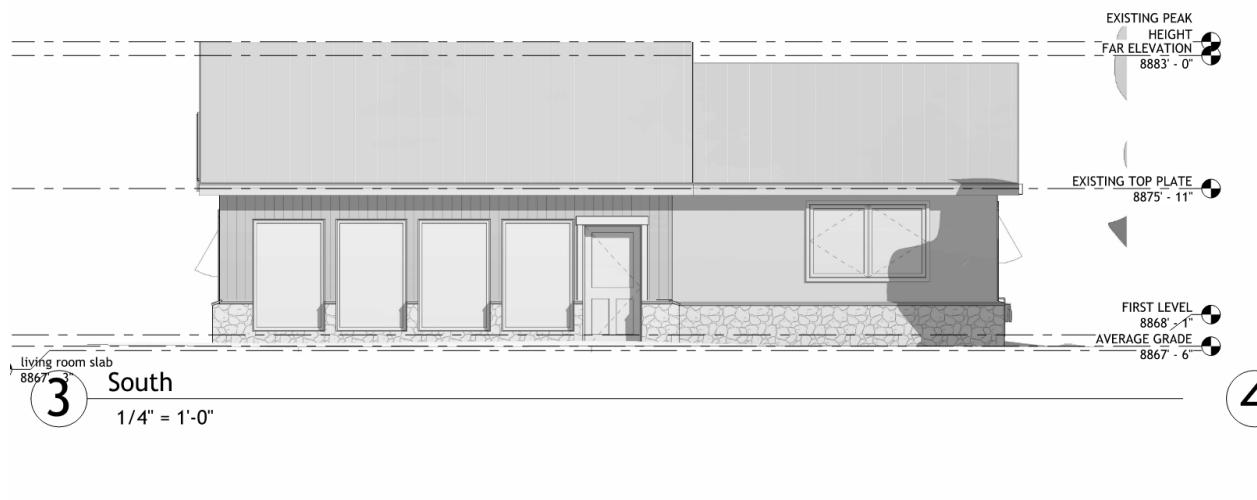
*Proposed – east elevation (front)*



*Existing – west elevation*



*Proposed – west elevation*



*Existing – South elevation*



*Proposed – South elevation*



*Existing – North elevation*



*Proposed – North elevation*



**b. Design and Style:** Refer to guidelines \*4.35-4.40

GL	Staff Analysis	DRC Recommendation
4.35 Style	This addition will transform the front (south) portion of the home. However, what is proposed meets the intents of this GL.	
4.36 Exact replication	This is not an exact replication of a historic structure. Met.	
4.37 Contemporary interpretation	Members are asked if the proposed is an acceptable contemporary interpretation. This home is not located in the historic core, which allows more flexibility. Support.	
4.38 Mixing of styles	The proposed addition will not mix styles. Support.	
4.39 Additions	<p>Confirmation is needed regarding proposed areas of demolition. It appears that the roof will be taken off in its entirety and the accessory will be attached on the north.</p> <p>Details are consistent.</p> <p>Currently, there is horizontal siding in the gable with stucco and stone veneer. The proposal would be for the main body of the home to be a mix of 4" vertical lap siding with stucco siding and a larger height of rock wainscot.</p> <p>Support.</p>	

**c. Roof forms:** Refer to guidelines \*4.41-4.45.

GL	Staff Analysis	DRC Recommendation
4.41 Roofs	<p>The new roof is proposed as a 6:12, which is consistent with the existing homes roof pitches. The shed connection with the existing accessory building employs a 6:12 pitch. This GL asks for roofs to be similar to those seen historically. The overall gable roof for the structure does appear similar to that seen historically.</p> <p>However, the inclusion of the shed to connect the primary and accessory appears noncongruent. This is not an element seen commonly within town</p>	



	historically.	
4.42 Shed roofs	As stated above, the shed roof as included on the north appears as thought it is a dominant roof form, not subordinate as encouraged.	
4.43 Mix styles	As stated above, the shed roof as included on the north appears as thought it is a dominant roof form, not subordinate as encouraged.	
4.44 Ridgelines	The front gable module will have a ridge length of 17'3" and the rear primary module will have a length of 28'. Support	
4.45 Pitches	As stated above, this home exists at a 6:12 pitch currently. The proposed changes ask for 6:12. The GL encourages between 10:12-12:12 for primary modules and states that 8:12-14:12 may be considered in new development zones. Now that the height is increasing for the building, the mass is also increasing and it would appear that a 6:12 pitch may not be consistent with the GL. Discussion is encouraged to determine if this can be supported because it exists on the existing structure or if it is opposed because if the roof is being removed it must come into compliance with the GL.	

d. **Dormers/Skylights:** Refer to guidelines \*4.46-4.48

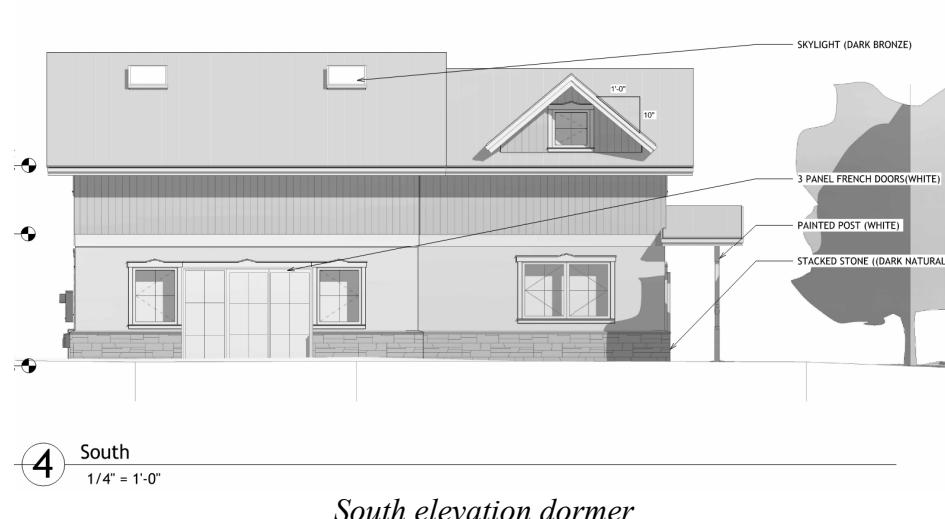
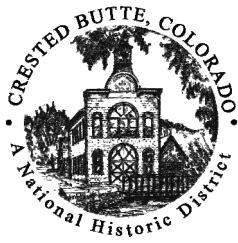
GL	Staff Analysis	DRC Recommendation
4.46 Dormers in new construction	<p><b>South gable:</b> There is a dormer proposed on the south elevation. It is a modified gable dormer. Gable dormers are supported..</p> <p><b>North gable:</b> There is a dormer proposed on the north elevation. It is a gable dormer. Staff finds support.</p>	
4.47 Dormers	<p><b>South gable:</b> The dormer steps down 5" from the ridge of the module.</p> <p><b>North gable:</b> The dormer steps down 8" from the ridge of the module.</p> <p>a. <b>South gable:</b> The dormer, as proposed occupies 28.6% of the roof,</p>	



	<p>which appears to comply with the GL requirement of 30%.</p> <p><b>North gable:</b> The dormer, as proposed occupies 6.6% of the roof, which appears to comply with the GL requirement of 30%.</p> <p>b. <b>South gable:</b> The dormer is lower than the ridge. There is a section of roof beneath.</p> <p><b>North gable:</b> The dormer is lower than the ridge. There is a section of roof beneath. Discussion is encouraged.</p> <p>c. <b>South gable:</b> The dormer, as proposed occupies 28.6% of the roof, which appears to align with the GL requirement of 30%.</p> <p><b>North gable:</b> The dormer as proposed occupies 6.6% of the roof, which appears to comply with the GL requirement of 30%.</p> <p>d. <b>NA</b></p> <p>e. <b>NA</b></p>	
4.48 Skylights	<p>There are two skylights proposed for the south elevation. The measurement appears to be 2'9" x 2'10". The skylights cannot exceed 3'x2". So, they will need to be revised.</p>	



*North elevation dormer*



*South elevation dormer*

**e. Porches/Balconies:** Refer to guidelines \*4.49-4.52

GL	Staff Analysis	DRC Recommendation
4.49 Covered porches	As the building exists there isn't an entry porch. The proposed gable porch meets the intents of the GL. Support	
4.50 Mix of porch styles	The entry porch extends 4'x6' (east) complies with the intents of GL 4.50 b encouraging a depth of four feet.	
4.51 Side and rear porches	NA	
4.52 Second and third story decks	NA	

**f. Windows:** Refer to Guidelines 4.53-4.63.

GL	Staff Analysis	DRC Recommendation
4.53 Window to wall ratio	<p>All windows are proposed to be replaced.</p> <p>On the existing east (front) elevation, there is door glazing (6.33 sf) with a two pack of windows on the first floor (11.68). Currently, there is 32.95 (openings)/340.3 sf, which is 9.6%.</p> <p>The proposed east elevation (front) proposes a three pack of windows with door glazing on the first floor (41.6 sf) with a single window and a two pack of windows on the second floor (34.8 sf). The overall window to wall ratio for the proposed is 136.38 sf/ 642.87 sf = 21.2%.</p>	

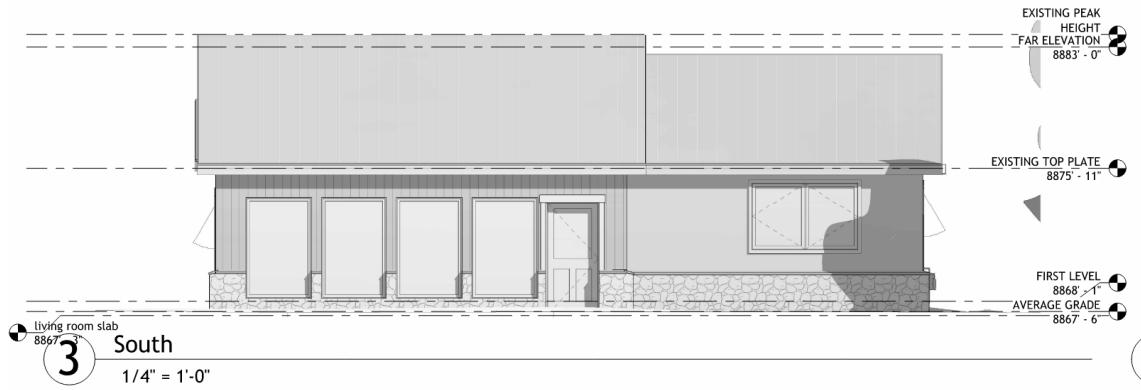


	<p>The existing north elevation has one large window on the first floor. The proposed is three single windows on the first floor and a single window in the gable dormer.</p> <p>The existing (south) elevation has four large floor to ceiling windows, door glazing and a two pack of windows on the first floor. The proposed is two single windows, a two pack and a three panel full light folding/French door on the first floor and one single window in the gable dormer.</p> <p>The existing west elevation is a two pack of windows and door glazing on the first floor. The proposed is two single windows on the first floor and two single windows on the second floor.</p>	
4.54 Vertical emphasis	<p>Windows are vertically oriented two over two double hung style casement windows.</p> <p>There are two small square windows proposed for the dormers and then two on the north. Support</p>	
4.56 Window material	Windows are noted as aluminum clad (white). General support	
4.57 Fenestration pattern	There appears to be 12" to exterior corners, as required by the GL.	
4.58 Groupings of 2 or more windows	There is a grouping of three windows on the east elevation. These windows must have 3.5" of trim and cannot be mulled.	
4.58 c. Window sizes	<p>Front elevation fenestration proposes three window sizes. Support.</p> <p>It appears that there are not more than six window sizes on the north, west and South elevations, as required by GL 4.58 c.</p>	
4.59 Window and door trim	Trim is noted as painted white. Trim surrounds appear consistent with the GL. However, size of trim must be noted.	
4.60 Divided lights	<p>Windows are shown as two over two double hung style casements. Any casements will require simulated divided lights. Support.</p> <p>There is one full light window shown on the north, which must incorporate divided lights.</p>	
4.61 Transom windows	NA	



g. **Doors:** Refer to GL 4.64-4.69.

GL	Staff Analysis	DRC Recommendation
4.64/4.65 Primary door	There is a $\frac{1}{2}$ light wood door (white) noted on the east. Support.	
4.66 Secondary doors	<p>There is a three panel folding/French door on the South. This GL allows for one three panel door with a maximum opening of 9' in width in new development zones. This door meets this requirement.</p> <p>This GL also specifies that the door should not be highly visible from the street. This is on an alley side and is in an area of the home that has very large existing openings. Staff finds support.</p>	
2.29 Garage	<p>There is a garage door proposed on the east (front). This normally would be discouraged. However, a garage door exists currently on this elevation. Staff finds support.</p> <p>The door must incorporate a wood veneer.</p>	



*Existing South elevation*



*Proposed South elevation*



h. **Lighting:** Refer to GL 2.37-2.40.

GL	Staff Analysis	DRC Recommendation
2.37 /4.74 Exterior lighting	Exterior lighting has not been called out, but must be to ensure compliance with the night sky ordinance. Any existing exterior fixtures must be replaced if they do not meet current standards as well.	



i. **Materials:** Refer to GL 4.75-4.83.

## 5 7th Street

Siding:



Natural Grey/Brown Mix

Roof:



Standing Seam - Dark Bronze

Existing House:



~~Existing~~ Stucco Siding- To be reapplied in places need and to be painted to match

Replacing the existing river rock with a dry stack stone

Roofing is proposed as a standing seam (dark bronze).

Siding is existing stucco to be reapplied in places, as needed (painted to match) and a 4" vertical siding (natural brown). There is an existing river rock wainscot, which would be replaced with dry stacked stone (natural gray/brown mix). This wainscot exists at 2'11" on the west/2'7" on the east. The material is proposed at 3'1" on the west/south and 2'4" on the east.

Trim is wood (white), size must be confirmed. Fascia is 2"x8" (white) with a 3.5" frieze board.

There is a 1/2 light wood door (white) noted on the east. There is a metal three panel folding/French door (white) also shown on the South. There is a garage door on the east (white).

Windows are noted as two over two double hung style casement in aluminum clad (white). There are two skylights proposed on the south elevation (dark bronze).



There are wood posts (white) on the front entry porch, sizing must be confirmed.

GL	Staff Analysis	DRC Recommendation
4.75 Exterior materials	Siding is consistent. Support	
4.75 e/ 4.80 a foundation treatment	This wainscot exists at 2'11" on the west/2'7" on the east. The material is proposed at 3'1" on the west/south and 2'4" on the east. Staff would suggest, if allowed that the material should not be higher than it exists currently.	
4.79 Treatment of siding	Siding will be painted. Support	
4.81 Mix of materials	Support	
4.82 Roofing	Roofing is proposed as standing seam. Support	
4.83 porches/decks	Materials appear to comply, but confirm details.	

**j. DRC Action:**

- **Site Plan:** Review and make a recommendation to BOZAR regarding the proposed site plan.
- **Residence:** Make a recommendation to the BOZAR regarding mass/scale and form of the additions.
- **Residence:** Make a recommendation to the BOZAR regarding architectural appropriateness of the residence.
- **Materials:** Review and make a recommendation to BOZAR regarding the proposed materials.

# PRIMARY STRUCTURE

## DESCRIPTION OF MATERIALS TO BE USED

NAME \_\_\_\_\_

LEGAL \_\_\_\_\_ ZONE \_\_\_\_\_

ADDRESS \_\_\_\_\_

### TYPE OF STRUCTURE

Single Family       Accessory Building       Commercial  
 Multi Family       Addition       Historic Rehab  
 Accessory dwelling       Other \_\_\_\_\_

### ROOFING TYPE

Shake Shingle       Pro Panel style       Galvanized, Corrugated Metal  
 Milled Shingle       Standing Seam       5-V Crimp  
 Other \_\_\_\_\_

### EXTERIOR FINISH

#### *Siding*

##### TYPE

##### SIZE

##### LOCATION

##### COLOR

Horizontal \_\_\_\_\_  
 Vertical \_\_\_\_\_  
 Other \_\_\_\_\_  
 Stucco \_\_\_\_\_  
 Trim \_\_\_\_\_  
\_\_\_\_\_

Fascia \_\_\_\_\_  
\_\_\_\_\_

Corner Boards \_\_\_\_\_

## DOORS

<i>MATERIAL</i>	<i>STYLE</i>	<i>FINISH</i>
-----------------	--------------	---------------

Primary door \_\_\_\_\_  
\_\_\_\_\_

Secondary door \_\_\_\_\_  
\_\_\_\_\_

## WINDOWS

*Type:*

Casement

Casement, egress

Double hung

Awning

Fixed

Slide-by

*Style:*

Simulated,  
divided lite

True, divided  
lite (historic)

Decorative  
mullions

Other

*Material:*

Wood

Aluminum  
clad, wood

Other

\_\_\_\_\_

Other

\_\_\_\_\_

*Glazing:*

Low E

Heat mirror

Tempered

Standard

Other

Describe locations if a mix is used \_\_\_\_\_  
\_\_\_\_\_

**Other Exterior Features (i.e. railings, chimneys, posts, etc.)** \_\_\_\_\_  
\_\_\_\_\_

I agree to submit changes from the list above to the building inspector and BOZAR chairman for approval prior to implementation of the change.

SIGNATURE OF OWNER / REPRESENTATIVE \_\_\_\_\_

DATE \_\_\_\_\_

# 5 7th Street

Siding:



Natural Grey/Brown Mix

Roof:



Standing Seam - Dark Bronze

Existing House:



Existing Stucco Siding- To be repainted in places need and to be painted to match

Replacing the existing river rock with a dry stack stone

## Division 11 - "R4" Residential District

## Sec. 16-4-880. - Intent.

The purpose for which this District is created is to provide areas for more intensive residential development than allowed in the "R1" or "R2" Districts, along with customary accessory use, but to carefully monitor such development so that it blends into its neighborhood context.

(Prior code 15-2-8)

## Sec. 16-4-890. - Permitted uses.

The following uses shall be permitted in the "R4" District:

- (1) One-family, two-family and three-family dwelling units.
- (2) Accessory buildings, nonresidential use, not heated or plumbed.
- (3) Home occupations.
- (4) Private garages as accessory buildings to the principal uses.
- (5) Accessory dwellings.
- (6) Public playgrounds and public recreation areas.
- (7) Shop crafts.
- (8) Bed and breakfast establishments, provided that the granting of such conditional use shall be subject to the requirements for short-term rentals in the "R1" District as set forth in Subsection 16-14-90(c) of this Chapter.

(Prior code 15-2-8; Ord. 4 §2, 1991; Ord. 3 §3, 1994; Ord. 39 §5, 1995; Ord. 10, 2000; Ord. 4 §1, 2009)

## Sec. 16-4-900. - Conditional uses.

The following uses shall be permitted as conditional uses in the "R4" District:

- (1) Multi-family dwelling units.
- (2) Parking areas.
- (3) Churches and church schools.
- (4) Nonprofit libraries and museums.
- (5) Public and private schools.
- (6) Accessory buildings, nonresidential use, heated.

(Prior code 15-2-8; Ord. 4 §2, 1991; Ord. 13 §6, 1991; Ord. 5 §6, 1995; Ord. 10, 2000; Ord. 4 §1, 2009; Ord. No. 2, § 3(Exh. A), 3-6-2023)

Sec. 16-4-910. - Lot measurements.

The following shall be lot measurements for property located in the "R4" District:

- (1) Minimum lot area: five thousand (5,000) square feet.
- (2) Maximum lot area: nine thousand three hundred seventy-five (9,375) square feet.
- (3) Minimum lot width: fifty (50) feet.
- (4) Minimum front yard: twenty (20) feet.
- (5) Minimum side yard: seven and one-half (7½) feet for single-story and flat-roofed buildings, and as much as eleven and one-half (11½) feet for sloped-roofed buildings, dependent upon snow storage guidelines.
- (6) Minimum rear yard:
  - a. Principal building: ten (10) feet.
  - b. Accessory building: five (5) feet.

(Prior code 15-2-8; Ord. 4 §1, 2009)

Sec. 16-4-920. - Floor areas.

The following shall regulate measurements for floor areas located in the "R4" District:

- (1) Minimum floor area: four hundred (400) square feet for each residential unit; provided, however, that the minimum floor area for an accessory structure built before July 1, 1942, which is being converted to a residential unit, historic accessory structure shall be two hundred twenty (220) square feet, plus a closet, a bathroom and one hundred (100) additional square feet for each occupant in excess of two (2), only if the following conditions are met:
  - a. The residential unit must be an accessory dwelling used exclusively as a long-term rental unit;
  - b. The occupants of the dwelling must have been residents of the County for three (3) consecutive years of the preceding seven (7) years;
  - c. At least fifty-one percent (51%) of the occupants' income must be earned from work for an employer situated within the County or from work actually performed in the County; and
  - d. The above limitations for occupants and the limitation of the term of rental shall be recorded pursuant to Section 16-9-70 of this Chapter.
- (2) Maximum floor area:
  - a.

Accessory building, including an accessory dwelling, if any, one thousand (1,000) square feet or two-thirds (⅔) of the floor area of the principal building, whichever is smaller.

b. Accessory dwelling, one thousand (1,000) square feet of the floor area or two-thirds (⅔) of the floor area of the principal building, whichever is smaller.

(3) Maximum floor area ratio:

- a. One-family dwelling unit: 0.3 as a matter of right up to 0.4, depending on neighborhood context and lot size. All buildings on a one-family residential lot: 0.5.
- b. Two-family dwelling unit: 0.3 as a matter of right up to 0.5, depending on neighborhood context and lot size. All buildings on the lot: 0.5.
- c. Three-family and multi-family dwelling units: 0.6 as a matter of right up to 1.0, depending on neighborhood context and lot size, provided that, for lots exceeding seven thousand five hundred (7,500) square feet, maximum floor area ratio shall not be more than 0.75 for each foot over seven thousand five hundred (7,500) square feet.
- d. All other uses: 1.0 for lots not exceeding seven thousand five hundred (7,500) square feet; 0.75 for each foot over seven thousand five hundred (7,500) square feet.

(Prior code 15-2-8; Ord. 4 §6, 1990; Ord. 2 §1, 1992; Ord. 16 §1, 1992; Ord. 3 §3, 1994; Ord. 4 §1, 2009)

Sec. 16-4-930. - Building measurements.

The following shall regulate measurements for buildings located in the "R4" District:

- (1) Maximum building height: thirty (30) feet.
- (2) Minimum exterior wall height: seven (7) feet.

(Prior code 15-2-8; Ord. 4 §1, 2009)

Sec. 16-4-940. - Additional provisions.

- (a) Minimum vertical distance from eave line of roof to the finished grade level shall be six (6) feet.
- (b) Slope of roof shall be a minimum of 4:12. A portion of flat roof may be considered for multi-family dwellings with five (5) or more units.
- (c) Stream margin review: all uses within twenty (20) feet of a designated water course shall meet the requirements of Section 16-11-10 of this Chapter.

(Prior code 15-2-8; Ord. 3 §10, 1994; Ord. No. 22, § 1, 11-1-2021)

## Sec. 16-14-190. - Demolition or relocation of historic and non-historic buildings or structures.

- (1) Applicability.
  - a. No person shall demolish or relocate any historic building or structure built within the Period of Significance (POS), 1880—1952, unless the Town deems it unsafe and/or dangerous in accordance with Subsection (3), Dangerous conditions.
  - b. No person shall demolish or relocate any building or structure built outside the Period of Significance ("POS") unless:
    - (i) The Board has approved such demolition or relocation following proper notice and public hearing in accordance with this Section;
    - (ii) The Board has approved a redevelopment plan as defined in Section 16-1-20; and
    - (iii) The Building Inspector has issued building permits pursuant to Section 18-13-40 for such demolition or relocation and construction of the replacement building or structure.
  - c. No person shall demolish or relocate any building or structure for the purpose of selling or conveying vacant lots for future development.
- (2) Ordinary maintenance and repair. Nothing in this Section shall be construed to prevent ordinary maintenance or repair of any historic building or structure. The Building Official may order any person in charge of or having control of the historic building or structure to perform maintenance when the Building Official in their reasonable judgment deems that such maintenance is necessary to prevent significant deterioration of the building or structure.
- (3) Dangerous conditions. A building or structure that is deemed by the Building Official to be unsafe or dangerous creating a substantial risk of injury or damage to property is a public nuisance and is subject to Chapter 7, Article 1, Administration and Abatement of Nuisances. Approval by the Board prior to compliance with an order issued by the Building Official to abate any nuisance is not required. As soon as practicable, the officer shall notify the Board of the proposed or actual issuance of any order.
- (4) Demolition by neglect. The Building Official may, at any time, order any person in charge of or having control and supervision of the property where a historic building or structure is located, to maintain and keep up a historic building or structure where it appears in the Building Official's reasonable judgement that without maintenance the building or structure will deteriorate to the point where demolition becomes the only option.
- (5) Exemptions. The following activities are exempt from the requirements of this Section, except that a building permit issued pursuant to Section 18-13-40 is required prior to commencing any of these activities:
  - a. Demolition of less than twenty-five percent (25%) of floor area of a non-historic building or structure.

- b. Minor demolition and/or relocation activities that include but are not limited to chimneys, decks, porches, steps, small accessory buildings or other similar design features.
- c. Removal of partial roof components to allow for vertical expansion such as dormers or skylights on structures.
- d. Demolition or relocation of mobile homes and mobile home accessory buildings in the M-Mobile Home district.

(6) Application requirements. An applicant seeking approval for demolition or relocation of a non-historic building or structure must submit a complete demolition or relocation permit application to the Community Development Department that includes the following contents:

- a. Payment of applicable fees and delivery of the following information: 1) a legal description of the property involved; 2) proof of ownership or a deed for the property establishing title; 3) signature of the owner of the property or some other authorized person with the written legal authority of the owner to make such application; and 4) a plot plan of the lot or parcel, drawn preferably at a one-eighth inch to one-foot scale, showing the dimensions of the lot or parcel and the size and location of the existing buildings or structures and other site improvements.
- b. A written narrative that describes: 1) the reason(s) for requesting demolition or relocation of the existing building or structure; 2) the architectural style/era and any distinguishing characteristics or features of the existing building or structure; and 3) whether there is an existing deed-restricted housing unit contained on the property.
- c. Existing floor plans, elevations, photographs and/or other materials that enable a thorough understanding of the existing building or structure and the character of the neighborhood context.
- d. A condition assessment report for the existing building or structure prepared by a licensed architect, building systems engineer, building contractor, building inspector or other qualified person that addresses the following:
  1. Site and grounds: the condition of the existing site and grounds including site drainage, pavement, walkways, patios, decks, walls, fencing/railings, landscaping and exterior amenities.
  2. Structural systems: the type and condition of the existing foundations and structural framing of walls, columns, intermediate floors and roofs; a summary of any cracks in the foundation and/or walls; and evidence of leakage or water damage. If relocation is proposed, a determination should be made as to whether the building or structure can withstand the physical impacts of being removed from its current location, transported and relocated upon a new foundation at a receiving site.
  - 3.

Building envelope: the type and condition of existing roofing systems, exterior finishes, insulation, stairs and steps, exterior doors and windows; and whether they need to be replaced.

4. Mechanical systems: the type of electrical, heating, ventilation, plumbing and conveyance systems, including the condition of each system, its estimated efficiency, and its estimated remaining lifespan.
5. Interior building components: the type of interior finishes, fireplaces/heating stoves, appliances and fixtures; their estimated efficiency, and their estimated remaining lifespan.
6. Environmental issues: any evidence of disease-causing organisms, mold, lead, asbestos, chemicals, biological substances and/or radioactive material, including the existence of any hazardous or dangerous conditions or materials.
7. Regulatory compliance: any issues or concerns regarding zoning (setbacks, height, floor area, parking, etc.), life safety, fire or other building code matters.
8. Final summary: a summary that recommends whether the structure should be demolished or relocated; or whether the estimated lifespan of the building's systems and elements can be reasonably upgraded, remodeled, renovated and/or expanded to be more functional, energy-efficient, livable and code compliant.

- e. If demolition is proposed, a written response that details how the applicant intends to comply with the requirements of Chapter 18, Article 15 Deconstruction and recycle plan, and an estimate of cubic yards of demolition material that will be permanently disposed.
- f. If relocation is proposed, a relocation plan that describes and/or shows the transport route, identifies any structural and/or physical constraints, identifies methods of resolving those constraints, and includes a proposed site plan with the subject building or structure located on the receiving site in conformance with the specific zoning requirements, easements and covenants or neighborhood context.
- g. A written response that describes how the applicant intends to satisfy the Replacement Housing requirements in Section 16-14-200.

(7) Review standards for demolition of non-historic buildings or structures. The Board may approve an application for demolition of any non-historic building or structure if the Board determines that all of the following standards have been met:

- a. The existing building or structure is not compatible with the POS; do not conform to the Town's Design Guidelines; and the massing, scale, form and materials do not substantially or materially contribute the character and quality of the neighborhood context.
- b. The existing building or structure cannot meet current zoning, building and energy code requirements, and/or health and safety standards by utilizing reasonable and economically viable construction methods in order to achieve a beneficial use of the property.

c.

If demolition is proposed, the deconstruction and recycle plan meets the requirements of Chapter 18, Article 15 of this Code.

- d. If relocation is proposed, the relocation plan meets the requirements set forth in Subsection 16-14-190(6)f.
- e. The redevelopment plan satisfies the Replacement Housing requirements in Section 16-14-200.

(8) Review standards for relocation of non-historic buildings or structures. The Board may approve an application for relocation of any non-historic building or structure if the Board determines that all of the following standards have been met:

- a. The building or structure can withstand the physical impacts of being removed from the current location, transported, and relocated upon a new foundation at a receiving site.
- b. The building or structure can be located on a receiving site in conformance with the zone district standards, easements and covenants, or neighborhood context.
- c. The relocated building or structure may or may not be in compliance with the Town Design Guidelines.

(9) Staff review and report. Prior to the Board public hearing, staff shall review the application and prepare a report summarizing the application, identifying whether the application appears to satisfy the standards in Section 16-14-190(5), and recommending conditions of approval that may be required to satisfy the standards.

(10) Board review and decision. The Board shall review the demolition or relocation application at the duly noticed public hearing pursuant to Section 16-22-110.

- a. If the Board approves the demolition or relocation application, the applicant shall, within two (2) years of date of approval, prepare and submit a Redevelopment Plan as defined in Section 16-1-20, otherwise the approval will expire.
- b. For relocation within the Town, if it is demonstrated that the existing building or structure conforms to the zone district standards, covenants, and site conditions of the receiving site, and the receiving site is currently available for development, the existing building or structure may be relocated to the receiving site prior to submittal and approval of the Redevelopment Plan.
- c. If the Board denies the demolition or relocation application, the applicant may prepare plans for the maintenance, renovation, modification or expansion of the existing building or structure in accordance with the zone district standards and Town Design Guidelines; or
- d. If the Board denies the demolition or relocation application, the applicant may appeal the decision to Town Council pursuant to Section 16-22-150, Appeal.
- e.

Approval of the demolition or relocation application does not constitute a site specific development plan under Chapter 16, Article 20.

- (11) Expiration of approval. The Board's approval of the demolition or relocation application shall expire within two (2) years of the Board's decision if a building permit has not been issued for the associated redevelopment plan.
- (12) Compliance or general penalty for violation. Any person in violation of this Section shall be subject to the provisions of Chapter 1, Article 4 and the following provisions:
  - a. Where a violation of this Section has occurred, the Building Official shall be authorized to impose any or all of the following penalties:
    1. Prohibit, revoke, or suspend, the issuance of any permit and/or certificate of occupancy in connection with the subject property, except as otherwise described in Subsection b. below.
    2. Revoke, or suspend, the Town of Crested Butte's Business License of the contractor responsible for the violation. This action would result in the revocation, or suspension, of the contractor's ability to work in Crested Butte, except as otherwise described in Subsection b. below.
    3. Revocation of development approvals, or entitlements for the subject property, through an administrative resolution, or public hearing with the Board.

The Building Official shall consider the following factors in deciding whether to impose such possible prohibitions, revocations, or suspensions:

1. The impact of the demolition or relocation of the building or structure upon the historical integrity and architectural character of the Town; and
2. The factual circumstances concerning the cause of the demolition or relocation of the building or structure, as may be identified after reasonable investigation by the Building Official; and
3. Whether the owner or contractor has previous violations for violating the Town's demolition ordinance.

- b. During the pendency of prosecution described in Subsection a. above, the Building Official may impose a temporary suspension of any permit and/or the issuance of a certificate of occupancy in connection with the subject property. In electing to impose such a temporary suspension, the Building Official shall consider the same factors as described in the Subsection above. Such temporary suspension shall remain in effect for the duration of the prosecution and any appeal therefrom.
- c.

Penalties imposed in Subsection a. above does not prevent the Building Official from issuing a building permit for rehabilitation or repair of any building or structure on the property that is the subject of the violation or any improvement, bracing or other construction activity intended to protect, keep up, save and/or maintain any such building or structure on the subject property.

- d. Demolition of remaining structure and site clearance. In the event, the unauthorized demolition renders the remaining structure in a state of disrepair, or threatens life safety, as determined by the Chief Building Official, the owner shall, within sixty (60) days of the occurrence, secure a demolition permit. The remaining structure shall be demolished, and the site shall be cleared of all debris within thirty (30) days of the issuance of said permit. Site clearance shall include the removal of all debris from the foundation and backfilling with clean inorganic fill. The owner of the lot shall plug air and watertight sewer laterals, house lines and any other sewer and plumbing connections.

(Ord. 6 § 1, 2010; Ord. No. 34, § 3, 9-16-2019; Ord. No. 5, § 2(Exh. A), 6-3-2024)

Sec. 16-14-200. - Replacement housing due to demolition.

- (1) Applicability. These replacement housing standards, in addition to Section 16-14-190, shall apply to properties with a legal demolition, properties where an illegal demolition occurred and its development approvals, or entitlements were revoked through administrative resolution or public hearing with the Board, or relocation of existing residential buildings and the proposed redevelopment of a redevelopment parcel.
- (2) Submittal requirements. A replacement housing application shall be submitted with the proposed redevelopment plan and shall include the following information:
  - a. A brief narrative that describes the existing conditions; the proposed redevelopment plan; and details how the replacement housing standards are being met. If there is an existing deed-restricted unit on the redevelopment parcel, the application shall include a copy of the recorded deed-restriction.
  - b. Existing and proposed: site plans, building floor plans, floor area (FAR) calculations, exterior building elevations and unit summary that includes the unit square footages, number of bedrooms and bathrooms and on-site parking spaces.
- (3) Replacement housing standards. The replacement housing standards that shall apply to the demolition and redevelopment of the following residential building types are:
  - a. General standards for replacement housing that apply to the demolition and redevelopment of all residential buildings:
    1. For properties with existing deed-restricted housing, there shall be no net loss in the number of deed-restricted units, bedrooms and amount of floor area due to demolition or relocation.

2. All replacement housing units shall be deed-restricted as long-term rental or resident-occupied, affordable replacement housing units. The restrictive covenant for all long-term rental or resident-occupied affordable replacement housing units shall be recorded in the office of the Gunnison County Clerk.
3. Deed-restricted replacement housing units shall be constructed on the redevelopment parcel; or if the relocated residential building or structure is relocated in town, the relocated building or structure shall be deed-restricted to satisfy the replacement housing requirement. Purchasing and deed-restricting existing off-site residential units in order to meet the replacement housing requirements is not permitted.
4. Deed-restricted replacement housing units may be smaller than the minimum floor area requirements as set forth in Section 16-21-60, Standards for resident-occupied, affordable housing units.
5. Deed-restricted replacement housing units shall be available for occupancy at the same time as the new free-market residential units constructed on the redevelopment parcel.

b. Replacement housing standards that apply to the demolition and redevelopment of single-family, duplex and tri-plex buildings:

1. Minimum floor area redevelopment standards: New residential buildings or structures shall not exceed the floor area of the existing building to be demolished or the minimum floor area ratio (FAR) allowed in the zoning district, whichever is less, with the following conditions:
  - (a) The new residential building or structure shall be designed within the general orientation, footprint and mass/scale of the existing buildings or structures that are to be demolished and shall comply with the zone district standards.
  - (b) The new residential building or structure may incorporate certain distinguishing architectural features, materials and/or details that were characteristic of the style/era of the demolished building or structure and which may or may not fully conform to the Town's Design Guidelines.
  - (c) The full Resident-Occupied Affordable Housing (ROAH) fee pursuant to Section 16-21-50(6) shall be paid with no credit given for the existing floor area (FAR) of the building or structure that was demolished.
2. Maximum floor area redevelopment standards: New residential buildings or structures shall not exceed the maximum floor area allowed in the zone district with the following conditions:
  - (a) The new residential building or structure may have a different orientation, footprint and mass/scale from the demolished structure; and shall comply with the zone district standards.

- (b) The new residential building or structure may incorporate certain distinguishing architectural features, materials and/or details that were characteristic of the style/era of the demolished building or structure and which may or may not fully conform to the Town's Design Guidelines.
- (c) The new single-family development shall be required to construct an on-site detached, accessory dwelling unit, as defined in Section 16-1-20 and pursuant to Section 16-9-70.
- (d) The new duplex development shall be required to maintain or construct one (1) of the residential units as a replacement housing unit that is deed-restricted as a long-term rental or resident-occupied affordable housing unit.
- (e) The new tri-plex development shall be required to maintain or construct one (1) of the residential units as a replacement housing unit that is deed-restricted as a long-term rental or resident-occupied affordable housing unit.

c. Replacement housing standards that apply to the demolition and redevelopment of multi-family buildings with four (4) or more residential units:

- 1. The new multi-family building or structure may have generally the same or different orientation, footprint and mass/scale, and they shall meet the zone district standards and Town Design Guidelines.
- 2. A minimum of fifty percent (50%) of the total existing number of units demolished shall be maintained or construct replacement housing that is deed-restricted as long-term rental or resident-occupied affordable housing units; when applying this standard results in a fraction of a required unit, a payment-in-lieu for only that fractional unit may be made to the Town or a full deed-restricted unit may be provided.
- 3. A minimum of twenty-five percent (25%) of the total existing number of bedrooms demolished shall be provided as replacement housing that is deed-restricted as long-term rental or resident-occupied, affordable housing; for purposes of this section, a studio shall equate to three-quarters (¾) of a bedroom.

d. For residential buildings or structures that are relocated in town:

- 1. The relocated building or structure shall comply with the zone district standards of the "receiving site" and the relocated building or structure may or may not fully conform to the Town Design Guidelines due to their architectural style and/or era of construction.
- 2. The relocated building or structure shall contain the same number, type and size of residential units as existed on the redevelopment parcel.
- 3. The owner/applicant shall be responsible for all relocation costs of the relocated building or structure, including the new foundation at the receiving site, if the building or structure is to be deed-restricted as long-term rental or resident-occupied affordable housing.

(a)

If there is a recorded restrictive covenant for the relocated building or structure, no other replacement housing and/or ROAH fee shall be required for the new buildings or structures to be constructed on the redevelopment parcel. Town reserves the right to accept or refuse the relocated building or structure as deed-restricted long-term rental or resident-occupied housing.

- (b) If the relocated building or structure is not deed-restricted as long-term rental or resident-occupied affordable housing or it is relocated outside of town, the applicable replacement housing requirements and/or ROAH fees shall be required.
- 4. No replacement housing credits shall be given to buildings or structures relocated outside of Town.
- e. Properties where an illegal partial or full demolition of a structure occurred and had its entitlements revoked through administrative resolution or public hearing shall be required to provide deed restricted housing with the redevelopment of the property.
  - 1. New residential buildings or structures shall not exceed the floor area ratio (FAR) of the demolished building with the following conditions:
    - (a) The new residential building or structures may have a different orientation, footprint and mass/scale from the demolished structure; and shall comply with the zone district standards.
    - (b) The new residential building or structure may incorporate certain distinguishing architectural features, materials and/or details that were characteristic of the style/era of the demolished building or structure and which may or may not fully conform to the Town's Design Guidelines.
    - (c) The new single-family development shall be required to construct an on-site detached, accessory dwelling unit, as defined in Section 16-1-20 and pursuant to Section 16-9-70.
    - (d) The new duplex development shall be required to maintain or construct one (1) of the residential units as a replacement housing unit that is deed-restricted as a long-term rental or resident-occupied affordable housing unit.
    - (e) The new tri-plex development shall be required to maintain or construct one (1) of the residential units as a replacement housing unit that is deed-restricted as a long-term rental or resident-occupied affordable housing unit.

(Ord. No. 34, § 4, 9-16-2019; Ord. No. 5, § 3(Exh. A), 6-3-2024)



# DEVELOPMENT PERMIT APPLICATION

Town of Crested Butte Building Department  
PO Box 39 Crested Butte, Colorado 81224  
(970) 349-5338

\*Return this completed application to the Building Department with all necessary documents as identified in the Building Permit Application Requirements form.

PROJECT PHYSICAL ADDRESS	LEGAL ADDRESS	ZONE	USE TYPE

APPLICANT/AGENT	MAILING ADDRESS	TELEPHONE	EMAIL
PROPERTY OWNER	MAILING ADDRESS	TELEPHONE	EMAIL
CONTRACTOR	MAILING ADDRESS	TELEPHONE	EMAIL
ARCHITECT	MAILING ADDRESS	TELEPHONE	EMAIL
ENGINEER	MAILING ADDRESS	TELEPHONE	EMAIL

**BUILDING CLASSIFICATION:**

SFR  DUPLEX  MULTIFAMILY  COMMERCIAL  ACC.DWELLING  ACC.BUILDING  HISTORIC

**PROJECT TYPE:**

NEW CONSTRUCTION  ADDITION  REMODEL  PLUMBING/MECHANICAL  OTHER

PROJECT DESCRIPTION	ESTIMATED PROJECT VALUATION
	MATERIALS _____
	LABOR _____
	TOTAL _____

## DEPARTMENTAL USE ONLY

SPECIAL CONSIDERATIONS:		SETBACKS			
CONDITIONAL USE PERMIT		FRONT REAR SIDE( ) SIDE( )			
CONDITIONAL WAIVER	<input type="checkbox"/> _____	Existing			
VARIANCE	<input type="checkbox"/> _____	Primary			
PUD	<input type="checkbox"/> _____	Accessory			
		Proposed			
		Primary			
		Accessory			

EXISTING BUILDING SIZE (SQ.FT.)		PROPOSED BUILDING SIZE (SQ.FT.)	
PRIMARY		PRIMARY	
ACCESSORY		ACCESSORY	
TOTAL		TOTAL	
EXISTING FAR	PROPOSED FAR	REQUIRED SUBMITTAL DOCUMENTS	
BUILDING WIDTH	BUILDING HEIGHT	<input type="checkbox"/> Limited Power of Attorney	
PARKING SPACES	% OPEN SPACE	<input type="checkbox"/> Recorded Conveyance Deed	
# OF LIVING UNITS	ZONE	<input type="checkbox"/> Materials Lists	
EXISTING EQR'S	PROPOSED EQR'S	<input type="checkbox"/> Plans (Full-Size & 11"x17")	
		<input type="checkbox"/> Publication Fee _____	

This Building Permit shall become null and void if construction is not commenced within 60 days of the date of issuance. The Building Permit shall expire one year after the date of issuance and all construction must be completed prior to the expiration of the permit; provided, however, that the building inspector may renew the Building Permit for additional six month periods FOR GOOD CAUSE SHOWN and without additional cost to the applicant.

I hereby certify that all the information provided in this application is true and correct. I understand that submittal of this application does not constitute a right to perform the work or establish the use requested. I understand that the request may be denied, approved or approved with changes or conditions. Fees that are associated with the application are not refundable. I understand that the application, if approved, must be constructed in accordance with the approved plans and conform with the Town's architectural approval and applicable building codes. I understand that any approval will become null and void 180 days after the approval date if a permit is not purchased, or three years if a vested property right is purchased.

Signature of Contractor/Authorized Agent

Date

Signature of Owner/Authorized Agent

Date